IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51007 of 2026

CNR No. BRHC010719112026

Arising Out of PS. Case No.-9 Year-2026 Thana- PIRI BAZAR District- Lakhisarai

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Govind Kumar Son of Chhatish Sada Resident of Village- Bhagatpur Mushahari (Chaukra), P.S.- Piri Bazar, District- Lakhisarai

... ... Petitioner/s

Versus

1. The State of Bihar
2. X S/o Y Resident of Pri Beldari, P.S.- Piri Bazar, Dist.- Lakhisarai

... ... Opposite Party/s

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Appearance :
For the Petitioner : Mr. Parmanand Pd. Nr. Sahi, Advocate
For the State : Mrs. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

5 18-11-2026 Heard the learned counsel for the petitioner and the learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Piri Bazar P.S. Case No.09 of 2026 for allegedly having committed offence under Sections 96 and 3(5) of B.N.S.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that on the date of occurrence while his minor daughter was at her home, two persons named in the first information report, including the petitioner came on a motorcycle and called her and thereafter both of them fled with the minor daughter of the informant. It has been alleged that the

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minor daughter of the informant was carrying Rs.25,000/- and some gold ornaments to the tune of Rs.80,000/-, which she also took with her. Despite hectic search, she could not be found.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He submits that the entire allegations levelled in the first information report are false and concocted inasmuch as that the petitioner and the minor daughter of the informant were in relationship and the victim girl fled with the petitioner on her own. He submits that the occurrence is said to have taken place on 20.01.2026, however the first information report has been lodged after a delay of around ten days on 31.01.2026 and no explanation whatsoever has been given in the first information report for the delay caused in lodging the first information report. The learned counsel for the petitioner next submits that the victim girl has solemnized marriage with the petitioner in March, 2026 and was residing with the family members of the petitioner, prior to her statement recorded under Section 183 of the BNSS. He submits that the petitioner is in custody since 13.02.2026, without any criminal antecedent.

5. *Per contra*, the learned APP appearing on behalf of the State, while opposing the prayer for bail of the petitioner,

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submits that the petitioner along with co-accused fled with the minor daughter of the informant and thereafter the first information has been lodged. She also took away with her Rs.25,000/- in cash and ornaments to the tune of Rs.80,000/-. During course of investigation it has come that the daughter of the informant is admittedly minor, therefore the petitioner does not deserve the privilege of bail.

6. Having heard the learned counsel for the parties and after going through the records, the case diary and the statement of the victim girl recorded under Section 183 of the BNSS as well as the order-sheet of the present bail petition, it would transpire that notices were issued to the informant of this case and from report of the process server it would transpire that the notice through ordinary process was received by the informant himself. Despite service of notice on 30.09.2026, he did not choose to appear in the present proceeding. It appears from the statement of the victim girl recorded under Section 183 of the BNSS that on the date of occurrence, the victim girl went along with the petitioner on a motorcycle to station and from there both of them boarded a train for Delhi. At Delhi they solemnized marriage and it has further been stated that she did not carry with her Rs.30,000/-, which has been alleged in the

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first information report and the same was kept in the house itself. She wished to accompany her mother-in-law along with whom she had gone for giving her statement under Section 183 of the BNSS. It further appears from the case diary that her parents refused to go for any medical check up, which has been recorded in the case diary.

7. Taking into consideration the facts aforesaid, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Lakhisarai in connection with Piri Bazar P.S. Case No.09 of 2026, with a condition that:

(i) The learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

Sanjay/-

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