

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69050 of 2025

Arising Out of PS. Case No.-363 Year-2022 Thana- BARHARA District- Bhojpur

Anish Kumar Singh, Son of Sri Jagarnath Singh, R/o Village - Sirisiya, P.S.-
Barhara, District - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi, Wife of Sri Laxman Singh, R/o Village and P.O.- Fuha, P.S.-
Barhara, District - Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Sr. Advocate Mr. Dharmendra Kumar Singh, Advocate
For the State	:	Mr. Sharda Kumari, Advocate
For the Informant	:	Mr. Manoj Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 08-01-2026 Heard Mr. Rajesh Kumar Singh, learned Senior
counsel assisted by Mr. Dharmendra Kumar Singh; Mr. Manoj
Kumar Singh, learned counsel appearing on behalf of opposite
party No.2 and Ms. Sharda Kumari, learned APP for the State.

2. Petitioner, who is in custody, seeks bail in
connection with Barhara P.S. Case No. 363 of 2022 registered
for the offences punishable under Sections 363, 366(a) and 34 of
the Indian Penal Code.

3. As per the prosecution case, the informant has
alleged that her daughter had eloped along with one Anish
Kumar Singh (petitioner) on his allurement with Rs.65-70,000/-
and they were traceless.



4. Learned Senior counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case and in fact, the victim had gone along with the petitioner out of her own sweet will and they have performed marriage and staying together in Surat. It has further been submitted that even the police have not taken any steps for recovery of the child for the next three years after lodging of the present FIR and only when the news of the death of the victim on account of her committing suicide was reported, the petitioner was apprehended in the present case. It has been submitted that there is nothing on record to connect the petitioner with the present incident and no case under the relevant sections of the IPC and even POCSO Act is made out. It has lastly been submitted that the petitioner has clean antecedent and he is in custody since 06.04.2025.

5. Learned counsel for the opposite party no.2 has vehemently opposed the prayer for bail and has stated that the petitioner is instrumental not only in kidnapping the daughter of the informant but also subsequently killed her.

6. Learned A.P.P. has also vehemently opposed the prayer for bail and has stated that the petitioner had kidnapped the girl initially and subsequently she died under mysterious



circumstances and a UD case was also registered at Surat.

7. Considering the aforesaid submissions made by the parties and taking into account the fact that the petitioner is in custody since 06.04.2025 and from the records, it seems that the victim had committed suicide at Surat, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Barhara P.S. Case No. 363 of 2022, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below 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 below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-



mentioned order shall not be delayed for purpose of or
in the name of verification.

8. Accordingly, the prayer for bail is allowed.

9. It is made clear that the observation, if any, made in
this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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