

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71234 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- Kumarbagh District- West Champaran

Laddu Kumar @ Laddu Thakur Son of Nand Kishor Thakur Resident of Village - Ugrashen Tola, Kudwa Mathiya, P.S.- Kumarbagh, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Santosh Kushwaha Son of Ramprit Kushwaha Resident of Village - Ugrashen Tola, Kudwa Mathiya, P.S.- Kumarbagh, District - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar, Adv. Mr. Sitesh Kashyap, Adv.
For the Opposite Party/s	:	Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 07-01-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with Kumarbagh P.S. Case No. 86 of 2025 dated 18.05.2025 registered for the offences punishable under Sections 137(2) and 96 of the B.N.S. and Section 8 of the POCSO Act.

3. As per the prosecution case, the informant has alleged that her minor daughter used to visit the house of Nand Kishor Thakur. On 15.05.2025 at around 12.30 P.M., the informant's neighbours namely, Laddu Thakur (petitioner), Geeta Devi and Nand Kishor Thakur kidnapped her daughter for the



purpose of marriage. It is further alleged that the accused persons earlier had threatened the informant to kidnap her daughter.

4. Learned counsel for the petitioner submits that the allegation of kidnapping is false and concocted one. It is a case of love affair and such fact is corroborated from the statement of the victim girl made under Section 183 of the B.N.S.S., wherein she has stated that she had gone along with Laddu Thakur (petitioner) out of her own sweet will and she had also solemnized marriage with the petitioner. She has further stated in her statement that she was not allured by the petitioner and was not taken away for the marriage ; even she was married with Laddu Thakur (petitioner) out of her own sweet will and no physical relationship was made with the petitioner. It has next been submitted that the victim has been sent to Children Home, Motihari as her parents showed unwillingness to take her back to home. It has lastly been submitted that the petitioner has five criminal antecedents in which he is on bail and the petitioner is in custody since 22.05.2025.

5. Learned A.P.P. has vehemently opposed the prayer for bail of the petitioner. Despite the service of notice, nobody has appeared on behalf of the O.P. No. 2 to oppose the prayer for bail of the petitioner.



6. Considering the facts and circumstances of the case, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bettiah, West Champaran in connection with Kumarbagh P.S. Case No. 86 of 2025, subject to the following terms and conditions :-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(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 liable to be cancelled by the Court concerned.

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

(v) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the



petitioner. 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.

(vi) In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Bettiah, West Champaran within fifteen (15) days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the concerned Superintendent of Police and if it is found wanting in any respect, a report shall be made to the Court concerned by him to initiate a proceeding for cancellation of bail of the petitioner for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the Court concerned.

(vii) The petitioner shall be refrained from meeting with the victim or her family during the pendency of the trial.

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

8. The application stands allowed.

(Sourendra Pandey, J)

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