

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68936 of 2025

Arising Out of PS. Case No.-499 Year-2025 Thana- SITAMARHI District- Sitamarhi

Sudhir Kumar S/o- Naval Mahto Village - Bhasar ward no. 8, P.S. - Sitamarhi,
Dist. - Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ms. 'X' W/o- Late Narayan Mahto R/v- Bhasar W.No-1, Ps- Sitamarhi Dist-
Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-02-2026 Heard Mr. Virendra Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Kumar Ranjit
Ranjan, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Sitamarhi P.S. Case No. 499 of 2025 registered under
Sections 137(2), 87 of the BNS.

3. As per the allegation made in the FIR, allegedly the
petitioner along with other co-accused kidnapped the two minor
daughters of the informant with an intention to marry her.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he has



been falsely implicated in the present case. Learned counsel submitted that the allegation against the petitioner is that he, allegedly, handed over the two minor daughters of the informant to the accused, namely Deepak, with whom the two minors subsequently went to visit tourist places. However, the petitioner, who is a shop owner, had no role in the alleged kidnapping of the minor daughters, who themselves went along with Deepak. It is further submitted that in the statements recorded under Section 183 of the B.N.S.S., the victims had stated that the petitioner merely handed them over to the said accused Deepak. The petitioner, who is aged about 22 years, has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned counsel appearing on behalf of the informant vehemently opposed the prayer for grant of pre-arrest bail and submitted that although the F.I.R. has not been lodged under the POCSO Act against the petitioner, the allegations in the F.I.R. and the statements of the two victims recorded under Section 183 of the B.N.S.S. indicate that a case is made out against the petitioner as the petitioner forcefully, after holding the hands of the two victims, handed them over to the accused Deepak, and therefore, the petitioner does not deserve pre-arrest



bail.

6. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

7. Having heard the rival submissions of the parties, as well as, having perusal the FIR, the statements of the two victims recorded under Section 183 of the B.N.S.S., and the material collected during the course of investigation, I find that the allegation against the petitioner is not supported by the victims that the petitioner had allegedly handed them over to the accused Deepak, with whom the two victims went to different places and subsequently they returned back to home on their own. In view of the above material, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on anticipatory bail.

8. The learned District Court is directed to release the petitioner on anticipatory bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned District Court where the case is pending in connection with Sitamarhi P.S. Case No. 499 of 2025, subject to the condition as laid down under Section 482 of the



BNSS//438(2) of the Cr.P.C.

9. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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