

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77431 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- RIGA District- Sitamarhi

Kanhai Kumar @ Animesh Kumar S/O Jitendra Kumar Singh @ Bittu Singh
R/O Village - Bhavdepur, P.S.- Riga, Dist.- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Subodh Kumar Singh S/O Late Kailash Singh R/O Village - Bhavdepur,
P.S.- Riga, Dist.- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Virendra Kumar, Adv.
For the Opposite Party/s	:	Mr. Ashok Kumar Singh, APP
For the O.P. No.2	:	Mr. Shashank Shekhar, Adv.

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

6 19-03-2026 Heard counsel for the petitioner and APP for the State
as also counsel for the O.P. No.2.

2. The petitioner seeks bail in connection with Riga
P.S. Case No. 104 of 2025 instituted for the offences under
Sections 137(2), 96, 3(5) of the B.N.S. and Section 8 of the
POCSO Act.

3. As per prosecution case, the informant's 16-year-old
daughter went missing from their house during the night of
01.03.2025. Despite extensive search, she could not be traced.
During search, he received information that Kanhai Kumar (the
petitioner) had enticed and taken her away. When the informant
confronted Kanhai Kumar's parents on 05.03.2025, they abused
and threatened him, asserting that the girl had eloped with their



son.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. It is next submitted that the petitioner is younger to the victim girl and the juvenility justice Board is said to have assessed his age to be 19 years 07 months and 05 days and it is the case of the petitioner that it is the victim, who had taken this petitioner to Delhi and was kept under captivity and forcibly was being subjected to commit such offence and, as also, to do household works. It is next submitted that the existence of love affairs between both the parties cannot be denied and the petitioner is languishing in judicial custody since 23.05.2025. It is lastly submitted that the petitioner is a student and is studying in Class-8 and bears no criminal antecedent.

5. On the other hand, counsel for the State opposes the prayer for bail of the petitioner.

6. Counsel for the Informant, who has appeared on notice, though opposes the prayer for bail of the petitioner but, has not disputed the factual position of the case.

7. Having heard rival contention of both the parties and considering the fact that the petitioner, who is a student of



Class-8, is languishing in judicial custody since 23.05.2025 and there is a dispute with regard to age determination and taking into account the judgment passed by the Hon’ble Apex Court in the case of *State of Uttar Pradesh Vs. Anurudh & Anr.* reported in *LiveLaw (SC) 29* decided on 09th January, 2026, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-VI -cum- Special Judge (POCSO Act), Sitamarhi in connection with Riga P.S. Case No. 104 of 2025.

(Ajit Kumar, J)

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