

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81198 of 2025

Arising Out of PS. Case No.-355 Year-2025 Thana- KESARIA District- East Champaran

Anshu Kumar S/O Nirbhay Prasad @ Nirbhay Bhagat @ Nibhay Bhagat
Resident of Village- Majhar, P.S- Pakridayal, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore @ Kundan Kumar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 21-01-2026 Heard Mr. Kundan Rathore, learned counsel for the
petitioner and Mr. Ajay Kumar Jha, learned APP for the State.

2. The petitioner has prayed for bail in connection
with Kesariya P.S. Case No. 355 of 2025 registered for the
offence punishable under Section 96 of the B.N.S., 2023.

3. The case of the prosecution in short is that the
petitioner has kidnapped the minor daughter of the informant.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this
case. Learned counsel for the petitioner submits that during the
course of investigation the victim was recovered and her
statements were recorded under Sections 180 and 183 of the
BNSS. In her statement under Section 180, which was recorded



on 23.08.2025, the victim stated that she had gone to see the fair with her aunt, where she met the petitioner. They were known to each other, and thereafter they fled to Muzaffarpur and from there went to Kanpur. After sometime, they returned to Bihar and again went to see the fair of Chakia, where they were apprehended by the police. However, in her Statement under Section 183, the victim stated that she had gone to see the *Keshariya* fair, where Savita Devi, Kundan Sahni, Muskan Kumari and Sikha Kumar told her to marry Anshu kumar (the petitioner) to which she denied. Thereupon, all of them assaulted her and threatened that her brother would be killed if she did not agree to marry Anshu Kumar. Thereafter, she was forcibly boarded into a four-wheeler and taken to Muzaffarpur.

5. Learned counsel for the petitioner further submits that the statement of the victim recorded under Section 183 of the BNSS was recorded on 25.08.2025, whereas her statement of 180 was recorded on 23.08.2025. Thus, the statement recorded under Section 180 of the BNSS is the subsequent one. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 24.08.2025.

6. The application for bail is opposed by learned APP



for the State.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari in connection with Kesariya P.S. Case No. 355 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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