

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85412 of 2025

Arising Out of PS. Case No.-123 Year-2025 Thana- KHAJANCHI HAT District- Purnia

Bholu Kumar S/o- Pankaj Poddar R/v- Madhopara Ps- K. Hat Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar, Advocate
For the Opposite Party/s	:	Mr. Mohammed Arif, APP
For the Informant	:	Mr. Sumit Kumar Bhaget, Advocate
		Mrs. Suman Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-03-2026 Heard Mr. Manish Kumar, learned counsel for the petitioner, Mr. Sumit Kumar Bhaget, learned counsel for the informant and Mr. Mohammed Arif, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 18.04.2025 in connection with K. Hat P.S. Case No. 123 of 2025, F.I.R. dated 26.03.2025 for the offences punishable under Sections 96 and 137(2) of the BNS, 2023.

3. According to prosecution case, this petitioner has kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the



FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact, the petitioner was in love with the victim girl and the victim has performed marriage with the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 18.04.2025. Apart from the aforesaid, the victim has also refused for her medical examination.

5. The learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the victim is minor but fairly submits that she has refused for her medical examination.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, victim has stated in her statement that she has performed marriage with the petitioner and she has refused for her medical examination, 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 Chief Judicial Magistrate, Purnea in connection with K. Hat P.S. Case No. 123 of 2025, subject to the following conditions:-



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the 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.

(Rajesh Kumar Verma, J)

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