

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88906 of 2025

Arising Out of PS. Case No.-1965 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Upendra Singh @ Upendra Kumar Singh Son of Late Bhubaneshwar Singh @ Bhuttu Singh Resident of Village - Chandauli, P.S.- Waini, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Chandra Mahto Son of Late Bathu Mahto Resident of Village - Chandopatti Rudauli, P.S.- Samastipur (Muffasil), District - Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Dilip Kumar Roy, learned counsel for the petitioner and Mr. Umeshanand Pandit, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with C.R.No. 1965 of 2022, dated 23.11.2022 for the offences punishable under Sections 341, 342, 364, 365, 367, 120B, 34 of the Indian Penal Code.

3. The prosecution case in brief is that the petitioner along with other co-accused persons kidnapped the complainant's son and forcibly performed marriage with co-accused, namely, Rinkki Kumari.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. Infact the complainant's son, namely, Chhotu Kumar has performed the marriage with one Rinkki Kumari and Rinkki Kumari has filed Mahila P.S. Case No.89 of 2022 against him and the said Chotu Kumar has been granted bail in the aforesaid case vide order dated 19.03.2024 in Cr. Misc. No. 63537 of 2023 and the Hon'ble Court has fixed Rs. 5000/- to be paid to Rinkki Kumari as interim compensation and father of the said Chhotu Kumar has filed the present complaint petition against the petitioner and his family members. He further submits that co-accused, namely, Rinkki Kumari and Mukesh Kumar have been granted the privilege of anticipatory bail by the co-ordinate Bench of this Court vide order dated 17.09.2025 in Cr. Misc. No. 65025 of 2025 arising out of present complaint petition.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioner and he is maternal uncle of the complainant's son and has clean antecedent and similarly situated co-accused have been granted the privilege of anticipatory bail by the co-ordinate Bench of



this Court , let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Additional Chief Judicial Magistrate-II, Samastipur in connection with C.R.No. 1965 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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 bond 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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