

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI

B.A. No. 651/2026

Ref:- Arising out of Barauni P.S. Case No. 08/2026
U/S- 137(2), 87 of B.N.S.

Dt:15/01/2026

In the matter of :-

Rohit Kumar, S/o:- Laldev Ray, R/o: Vill-Raghopur, P.S-Bakhtiyarpur, District-Patna.
.....Petitioner

Vrs.

The State of Bihar

.....Opposite Party

Present:- Rishi Kant

Principal Sessions Judge, Begusarai

Ld. Counsel for the petitioner :- Sri Ravi Kishan, Adv.

Ld. Counsel for the O.P. :- Ld. P.P I/C

Date of order:-12.06.2026

ORDER

The present bail petition has been filed on behalf of above named accused/petitioner who has been in custody since 08.04.2026 in connection with above mentioned case for an offence committing u/s 137(2), 87 of B.N.S, and the same has been put up for hearing.

Heard Learned Counsel Sri Ravi Kishan appearing on behalf of accused/petitioner and Learned P.P. I/C for the State.

Prosecution case, as per, written report of informant, in brief, is that on 12.01.2026 at about 01:00 pm informant's daughter gone to Customer Care Centre, Hawaspur (Bank of Baroda). Then at 04:00 P.M informant received a call from no.7362035017 upon answering the sound of same are crying was heard then the call was disconnected. Then after Mobile No.9006133490 is switched off. She investigate about her daughter in village and in relatives but could not get information.

The Ld. Counsel appearing on behalf of accused/ petitioner submitted that the petitioner has not previously filed any anticipatory or regular bail application before this court or any higher court prior to filing the present bail application. It is further submitted that petitioner is innocent and has committed no offence. Petitioner has falsely been implicated in this case. It is further stated that victim is major and she left her parental home own free will. The petitioner and victim were solemnized marriage with mutual consent. There was no element of force, involvement of kidnapping. Hence, section 137(2), 87 of B.N.S not made out against the petitioner. Lastly submitted that the petitioner has no criminal antecedent and he is in judicial custody since 08.04.2026. Petitioner is ready to abide all the conditions imposed by the court, so he may be released on bail.

Per contra the Ld. P.P I/C appearing on behalf of State vehemently opposed the prayer for bail.

Heard the learned counsel appearing on behalf of the petitioner, and the learned A.P.P. for the State. Perused the lower court record as well as the case diary. On careful perusal of the F.I.R., I find that the allegation against the petitioner is that he had allegedly enticed away and kidnapped the daughter of the informant with an intention to marry her. From perusal of the statement of the victim recorded under Section 180 B.N.S.S., it appears that she has categorically stated that on 12.01.2026 she voluntarily

accompanied the petitioner to his house and resided there for about one month. She has further stated that on 17.02.2026 while she was proceeding towards Barauni, she was apprehended by the police. Further from perusal of statement of the victim recorded under Section 183 B.N.S.S. In her said statement also, she has consistently stated that she had gone to the house of petitioner Rohit Kumar on her own accord and remained there for about one month. She has further stated that while she was proceeding towards Barauni, she was apprehended by the police near Zero Mile. It further appears from her statement that thereafter she expressed her desire to reside with her parents. Further from the school certificate annexed with the case diary, it appears that the age of the victim was approximately 18 to 19 years at the relevant point of time. It further appears that while recording her statement under Section 183 B.N.S.S., the learned Magistrate also assessed her age to be about 19 years. Moreover, charge sheet has been submitted against the petitioner and at this stage there is no submission made on behalf of the state that the release of the petitioner is likely to tamper with the evidence or interfering with the course of trial. Furthermore, the accused petitioner is in custody since 08.04.2026 having no criminal antecedent as per statement made in Para 3 of bail application.

In view of aforesaid circumstances, the age of victim as per school marksheet and assessment by the Ld. Magistrate and particularly considering the custody period of the petitioner, I find it appropriate to grant bail to the petitioner. Therefore, the prayer for bail is allowed, let the accused/petitioner be released on bail on furnishing of bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each with the satisfaction of learned court below with further conditions:-

1. That one of the bailors must be close relative of the accused/petitioner.
2. That the accused/ petitioner undertakes that he shall not indulge in any similar nature of offence till conclusion of the trial and on failing so, court concerned shall be liberty to cancel the bail bond in present case if reported by the prosecution.

Office is directed to send a copy of this order through e-mail to the undertrial prisoner/petitioner through the Jail Superintendent, Begusarai.

(Dictated)

Sd/-

(Rishi Kant)

Principal Sessions Judge, Begusarai

Date of Judgment/Order	12.06.2026
Date of Reserving Judgment/Order	N.A.
Uploading Date	15.06.2026
Uploaded by	Rahul Verma