

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI

B.A. No. 754/2026

**Ref:- Arising out of Phulwaria P.S. Case No. 91/2026
U/S-87 of B.N.S.**

Dt: 24.04.2026

In the matter of :-

**Bittu Kumar, S/o-Ghutaru Rajak, R/o: Vill.-Hasanpur Bagar, P.S.- Naokothi,
Distt.-Begusarai**

.....Petitioner

Vrs.

The State of Bihar

...Opposite Party

Present:- Rishi Kant

Principal Sessions Judge, Begusarai

Ld. Counsel for the petitioner :-Sri Rohit Kumar, Adv.

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

Date of order:-03.06.2026

ORDER

The present bail petition has been filed on behalf of above named accused/petitioner who is in custody since 08.05.2026 in connection with above mentioned case for an offence committing u/s-87 of B.N.S. and the same has been put up for hearing.

Heard Learned Counsel Sri Rohit Kumar, appearing on behalf of accused/petitioner and Ld. P.P. I/C for the State.

Prosecution case, in brief, is that on 20.04.2026 at about 04:00 P.M, the informant's daughter aged about 18 years went to market for buying some articles, but she did not return. Upon searching by the informant at his own level, he got information that his daughter used to call by mobile no. 7739966344 of house on mobile no. 8292788193 and the said mobile no. had been switched off since the missing day of his daughter. The informant has doubt that the person holding the mobile no. 8292788193 kidnapped his daughter by luring her.

The Ld. Counsel appearing on behalf of accused/petitioner submitted that the petitioner has not filed any bail either anticipatory bail or regular bail before this court or any higher court. It is further submitted that petitioner is quite innocent and he has committed no any offence. He has falsely been implicated in this case due to only suspicious conditions. There is delay of four days in lodging F.I.R and no explanation has been mentioned by the prosecution. The accused is not involved in this case and has no contact whatsoever with the abducted person. Lastly, he has submitted that petitioner has been in judicial custody since 08.05.2026 having no criminal antecedent and he is willing to abide all the conditions imposed by the court. Therefore, he may be released on bail.

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

Heard the learned counsels for the parties, and perused the record. The petitioner is not named in F.I.R, his name has been surfaced out from Para 26 of case

diary which shows that mobile no. 8292788193 is of Bittu Kumar. Upon perusal of record, it appears that the statement of the victim was recorded under Section 180 of B.N.S.S in which she stated that on 20.04.2026, she went out from her house after becoming angry with her mother without informing anyone. Thereafter, she went to house of her Fua and started living there. When she came to know about the case, then, she returned. The statement of victim was also recorded u/s 183 of B.N.S.S in which she reiterated her statement as stated u/s 180 of B.N.S.S. and she also stated that she fled on her own will and no one kidnapped her. In both the statements, the victim did not take the name of the petitioner and stated nothing against the petitioner. The petitioner has been in judicial custody since 08.05.2026 having no criminal antecedent as per statement made at Para 3 of bail petition. It also appears from Mark sheet of victim that she is aged about 18 years.

Considering the facts, circumstances of the case, statements of victim and particularly considering the custody period of petitioner having no criminal antecedent, the petitioner's application for bail is allowed. The petitioner shall be released on bail upon furnishing a bail bond of Rs. 10,000/- (Rupees Ten Thousand only), along with two sureties of the like amount each, to the satisfaction of the learned court below, subject to the following 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 at 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	03.06.2026
Date of Reserving Judgment/Order	N.A.
Uploading Date	04.06.2026
Uploaded by	Rahul Verma