

**COURT OF DISTRICT & ADDL.
SESSIONS JUDGE-IV, BARH (PATNA)**

Bail Petition 282 of 2026

*Arising out of Barh P.S Case No. 99 of 2026
(u/s 137(2) & 96 BNS)*

Ganesh Kumar

S/o : Anuj Saw

a/a : 28 Years

(Resident of Village : Shanti Tola Berhna, P.S. : Barh, District : Patna)

..... Petitioner

Verses

The State of Bihar

.....Opposite Party (O.P)

For the Petitioner : *Sri Sanjay Kumar, Ld. Advocate*

For the O.P.(State) : *Sri Bhupendra Paswan, Ld. Addl. Public Prosecutor,*

ORDER

PRESENT: SRI SHALIENDRA KUMAR SINGH, ASJ-IV

08/07/2026

1. Bail petition dated **15/05/2026** for grant of regular bail filed on behalf of above named accused petitioner, who is in judicial custody **since, 03/04/2026** in connection with **Barh P.S Case No. 99 of 2026**, for the offence **u/s 137(2) & 96 BNS**, *pressed today*. A copy of bail petition has already been served to the Ld. APP.

2. Heard, Ld. Counsel & Ld. Addl. Public Prosecutor (APP) appearing on behalf of the petitioner as well as the State.

3. Prosecution case, *in brief*, as per *written report* of **informant, Shekha Devi** is that on 12/02/2026 in the evening, when she returned home, then found that her daughter *namely*, Muskan Kumari aged 16 Years is missing. During search, she came to know Ganesh Kumar, Anuj Sao & wife of Anuj Sah have incited and taken her daughter away. When she tried to contact on the mobile phone accused persons, they refused to give any informant. She has firm belief that accused persons have taken her daughter with illegal act.

4. It has been submitted by the Ld. Counsel for the petitioner that earlier no regular or anticipatory bail either before Ld. Court of Sessions or Hon'ble High Court has been filed, nor any bail application is pending before any Court and the petitioner **has criminal antecedent**. The petitioner is quite innocent and has committed no offence. There is no such type of occurrence has ever been took place as mentioned in the FIR. The informant has filed this case only on the basis of suspicion beyond the truth. Petitioner is ready to furnish bail bond with sound sureties & obey each and every conditions imposed by Court, if bail is granted.

5. Learned A.P.P. appearing on behalf of State vehemently opposed the prayer for bail and submitted that there is serious allegation against petitioner that he alongwith other co-accused persons incited and taken away the minor daughter of informant *namely*, Muskan Kumari for illegal act.

Cont'd..../-

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08/07/2026 (Cont'd/-.....)

6. Trial Court Record (T.C.R.) & case diary (CD) have been received. Heard, rival contentions of both the parties and perused the record. From perusal of record, it transpires that there is **direct & specific** allegation against accused petitioner that he alongwith other co-accused persons **incited and taken away the minor daughter of informant namely, Muskan Kumari for illegal act.** Muskan Kumari (victim) during her statement u/s 183 BNSS has stated that she used to talk with accused petitioner Ganesh Kumar. One day, petitioner threatened her and due to fear, she went with petitioner to Delhi. Informant in her re-statement and other witnesses have supported the version of FIR. Act done by petitioner is very **serious in nature.** As per para-3 of bail petition, **petitioner has criminal antecedents.** Investigation is still going on, new facts may emerge.

7. Considering the aforesaid facts, circumstances, **seriousness, criminal antecedents & gravity of the alleged offence,** the Court is not inclined to enlarge the petitioner on bail. *Accordingly,* prayer for regular bail on behalf of above named petitioner is hereby **Rejected.** It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the investigation/trial and this Court has not expressed any opinion on the merits of the case.

Dictated & Corrected

**(Shailendra Kumar Singh)
Addl. Sessions Judge-IV,
Barh (Patna)**

Memo No. Dated July. 2026

Copy forwarded to : The Court of **Ld. ACJM-I, Barh** : For needful.

**(Shailendra Kumar Singh)
Addl. Sessions Judge-IV,
Barh (Patna)**