

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.15105 of 2025

Arising Out of PS. Case No.-94 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Ambekar Pandit @ Pandit Ambad Kumar @ Pandit Amved Kumar @
Ambedkar Pandit Son of Prakash Pandit Resident of Village - Satjori, Police
Station- Goradih, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

7 22-07-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Begusarai Town P.S. Case no.94 of 2022 registered under
Sections 366 and 34 of the Indian Penal Code.

3. The allegation in the F.I.R is that the informant's
daughter had gone to her college and did not come back. Upon
inquiry from her daughter's friends, she came to know that her
daughter had been kidnapped by the accused persons including
the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner and the informant's daughter were in a love
relationship with each other and as a matter of fact the victim
who is a major has eloped with the petitioner out of her own
free will and without any force, threat or coercion. There is a
delay in lodging of F.I.R of 48 hours. Further, there is no



allegation of sexual assault upon the petitioner. After recovery of the victim her statement was recorded under Section 164 Cr.P.C and perusal of the same would show that she had left the house on her own will whereupon she had gone to various places along with the petitioner and had travelled on public transport including train to *Ghaziabad*. Further, she states in her statement that she was taken by the petitioner to his brother's house and she was also allowed to make a phone call to her uncle and brother. Further, it has been stated that they stayed in a hotel and and also visited *Gurudwara* and thereafter, she was being made ready for marriage at *Kali Mandir*. When her uncle and her brother reached the house of maternal aunt of the petitioner and she was taken away along with them and she only desired at the end that her photographs relating to the marriage etc., should be deleted. Learned counsel for the petitioner further submits that medical examination report of the victim girl also shows that she is between 17-19 years of age and there is no evidence of recent sexual intercourse. The petitioner has no criminal antecedent and undertakes to co-operate in case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.



6. Considering the fact that both the petitioner and the victim are adults who were in a relationship and there is no allegation even as per the statement of victim recorded under Section 164 Cr.P.C of any sexual assault etc., and also considering the fact that petitioner has no criminal antecedent, I am inclined to grant privilege of anticipatory bail to the petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks, in connection with Begusarai Town P.S. Case no.94 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge-II, Begusarai, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

7. However, it is expected that the petitioner would not disturb the life of the victim and in case it was found that the petitioner is indulging into any kind of threatening etc., the learned Court below would cancel the bail bonds of the petitioner and take him into custody.

(Soni Shrivastava, J)

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