

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21773 of 2025

Arising Out of PS. Case No.-222 Year-2022 Thana- CIVIL LINE District- Gaya

Rohit Kumar @ Amresh Kumar S/o Sri Visheshwar Prasad R/o Village-
Pharha, PS- Akbarpur, PO- Pharha, Nemdarganj, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-04-2025 Heard Mr. Dharmendra Kumar Sinha, learned
counsel for the petitioner and Mr. Parmanand Prasad, learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Civil Line P.S. Case No. 222 of 2022, F.I.R. dated 14.05.2022 registered for the offences punishable under Section 366(A) of the Indian Penal Code.

3. The petitioner is alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner had earlier moved before this Court for grant of anticipatory bail in Cr. Misc. No. 4050 of 2025 but the same was dismissed as withdrawn vide order dated 12.02.2025 with liberty to the petitioner to file a fresh application in accordance



with law.

5. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. In fact, the petitioner was in love with the victim girl and the victim girl was recovered and her statement under Section 164 of the Cr. P.C./Section 183 of BNSS, 2023 was recorded in which she has categorically stated that she has performed the marriage with the petitioner on 11.05.2022 at Shiv Temple Mastanganj, Pharha, District- Nawada and out of wedlock a child was born on 05.06.2023 and the victim is living with the petitioner as a wife in the house of the petitioner.

6. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that at the time of occurrence the victim was minor.

7. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Civil Line P.S. Case No. 222 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) One of the bailors should be the victim, namely, Priyanka Sinha.

(2) 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.

(3) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(4) 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 bonds 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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