

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39776 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- MADHAURAH District- Saran

Rohit Kumar @ Rohit Kumar Rai son of Lagan Rai Village- Asoiyan, Ps-
Marhowrah, Dist- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 10-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Marhowrah P.S. Case No. 86/2025 registered for the offences punishable under Sections 196, 3(5) of the B.N.S.

3. As per prosecution case, there is allegation against the petitioner and others who are said to have kidnapped the informant's daughter with intention of marrying her.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. The petitioner bears no criminal antecedent. He further submits that though the age of victim has been mentioned in the FIR as 17 years whereas in fact on the date of



the alleged occurrence the age of victim is above 18 years. There is love affairs between the informant's daughter and the petitioner and the petitioner has not made any inducement to leave the family of her parental house, rather the victim has joined the company of the petitioner with sweet will and both are adult. In the light of aforesaid facts and circumstances of the case, no offence is made out against the petitioner under aforesaid sections.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submits that victim is minor as is evident from FIR as well as statement of victim recorded under Section 183 of the B.N.S. He further submits that statement of victim recorded under Section 183 of the B.N.S. reflects that the petitioner is said to have forcibly taken away the victim from the place of study and hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner, I am not inclined to grant privilege of anticipatory bail to petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is, hereby, rejected.

7. However, the petitioner is directed to surrender



before the concerned court within ten weeks from the date of receipt of the order. If petitioner surrenders and seeks regular bail, the concerned court may pass an appropriate order on the day of hearing without being prejudiced by order of this Court.

(Alok Kumar Pandey, J)

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