

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36894 of 2025

Arising Out of PS. Case No.-210 Year-2023 Thana- DELHA District- Gaya

=====

Santosh Kumar @ Santosh Keshri @ Santosh Kesari S/O Rampati Sao @
Ram Pati Keshari @ Ram Pati Kesari R/O Mohalla-Bageshwari Mandir
(Road), PS-Delha, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 11-09-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Delha P.S. Case No. 210 of 2023 for the offence registered
under sections 366(A) and 34 of IPC.

3. As per the prosecution story, the informant alleged
that accused Govind Paswan with the help of the petitioner took
away the daughter for marriage purposes. This led to the FIR.

4. Learned Counsel for the petitioner submits that the
lady, twenty three years old was in relationship with Govind
Paswan, she moved on her own, some friction took place
between the couple, returned and along with Govind Paswan has
named him also as he is the friend.



5. The Co-ordinate Bench had called for the case diary and the statement of the victim girl which is on record, the lady narrates that she was taken to Surat, Govind Paswan wanted Rs. 50,000/-, she anyhow returned home and whereafter, the FIR. The case diary further shows that she refused to go through medical examination.

6. Learned counsel for the petitioner submits that in the said statement of the girl, she has not recorded anything about sexual assault, is/was major as the age has been incorporated as 23 years and the last submission is that in any case, he is not Govind Paswan, rather the friend.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that he being the friend, his role is also there.

6. Considering the submissions of the parties as also the materials on record, petitioner has no criminal antecedent, the allegation is mainly against Govind Paswan, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of



Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Gaya in connection with Delha P.S. Case No. 210 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

U		T	
---	--	---	--

