

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41995 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- SAMASTIPUR District- Samastipur

Ankit Kumar S/O Lal Babu Sah @ Birendra Kumar Sah @ Virendra Kumar
Sah R/O Village- Shambhupatti, P.S- Karpurigram, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sahjadi Khatoon W/O Md. Nasim R/O Village- Amarpur, Bhamrupur,
Mohanpur, P.S- Muffasil, Distt.- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-07-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Mr. Rabindra Kumar.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 137(2), 96
and 3(5) of Bhartiya Nyay Sanhita, 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 15.02.2025 at 06:30 PM, her minor daughter
aged about 14 years left her shop for going home, but did not
reach home, hence a search was made, but victim could not be
located, in the morning she came to know that petitioner
kidnapped her, accordingly she called on mobile of the



petitioner, but her daughter picked the phone, but instantly petitioner snatched the mobile, thus, alleges that petitioner has kidnapped her minor daughter.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the victim has been recovered and her statement was recorded under Section 183 BNSS wherein she has not supported the case of the prosecution rather has stated that since her mother hit her, as such, she on her own left for Haryana where her aunt lives. It is next submitted that the said specific pleading has been made at Para-8 of the anticipatory bail application.

5. Learned A.P.P. for the State, Mr. Rabindra Kumar, opposes the prayer for anticipatory bail of the petitioner and submits that though it has been pleaded in the anticipatory bail application that victim in her statement recorded under Section 183 BNSS has not supported the case of the prosecution, but then her statement recorded under Section 183 BNSS is not on record.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Samastipur (Town) P.S. Case No. 59 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. However, the learned Trial Court before accepting the bail bonds of the petitioner shall verify the statement of the victim recorded under Section 183 BNSS and in the event if it is found that victim has supported the case of the prosecution, in that event the present anticipatory bail order shall not be given effect to, but if it is found that the victim has not supported the case of the prosecution, in that event the bail bonds of the petitioner shall be accepted forthwith.

8. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

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