

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50923 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- RASULPUR District- Saran

Vishwajeet Dwivedi @ Vishwajeet Dubey S/o Mukesh Kumar Dwivedi @
Bhim Dubey @ Mukesh Kumar Duwedi R/o vill - Asahani, P.S.- Rasulpur
Distt.- Saran at Chapra Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Rasulpur P.S. Case No. 09 of 2025 for the offence under Sections 137(2), 87, 96, 61(2) and 3(5) of the B.N.S.

3. As per the prosecution story, the informant has alleged that on 14.01.2025, her daughter was called by her friend Khushi Dubey, on the occasion of her younger sister's birthday, but when her daughter did not return home, her son went to *Ashani* at 8 pm and found that her daughter was not there. It is further alleged the petitioner – *Vishwajeet Dwivedi* has kidnapped her daughter and the entire kidnapping plan was made by *Khushi Dubey*.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has committed no offence rather he has falsely been implicated in this case due to ulterior motive of the informant. From perusal of F.I.R., it would appear that there is general and omnibus allegation levelled against the petitioner. The petitioner lives in Asahani village while the informant lives in Lakath Chapra village. Both the parties belong to different castes. Learned counsel further submits that the daughter of the informant left her house because she loves the petitioner and when the parents of the victim forbade her to meet the petitioner then she suo-moto left her house but the informant coloured this incident as kidnapping her daughter by the petitioner.

5. Learned APP opposes the prayer for bail.

6. During the course of investigation, victim girl has produced herself before the Court and in Para 45 of the case diary her statement recorded under Section 183 of BNSS has been reproduced in which she has clearly deposed that on the alleged date and time of occurrence i.e. 14.01.2025, she came out from her house to commit suicide meanwhile, he talked his boyfriend namely *Vishwajeet Dwivedi* (petitioner) who came there and subsequently, both went to Delhi and they performed marriage on 11.02.2025. In para 41 of case diary, investigating officer has stated that her age as per the school leaving



certificate is 05.02.2007 and as per her statement marriage took place on 11.02.2025. On the date of marriage, she was major. The same fact has been reiterated in her statement before the Investigating Officer under Section 180 of BNSS.

7. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Saran at Chapra, in connection with Rasulpur P.S. Case No. 09 of 2025 subject to the conditions as laid down under Section 482 of B.N.S.S., and further condition is that one of the bailors should be close relative of the petitioner.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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