

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53459 of 2025

Arising Out of PS. Case No.-1331 Year-2024 Thana- SAHARSA SADAR District- Saharsa

1. Vijay Sharma S/O Late Moti Sharma R/O Village-Sitanabad, Sharma Tola, PS-Bakhtiyarpur, Distt-Saharsa
2. Kajal Kumari D/O Kumeshwar Sharma R/O Village-Sitanabad, Sharma Tola, PS-Bakhtiyarpur, Distt-Saharsa
3. Visho Sharma S/O Late Moti Sharma R/O Village-Sitanabad, Sharma Tola, PS-Bakhtiyarpur, Distt-Saharsa
4. Kumeshwar Sharma S/O Late Moti Sharma R/O Village-Sitanabad, Sharma Tola, PS-Bakhtiyarpur, Distt-Saharsa
5. Fantush Kumar @ Fantush Sharma S/O Bhuvishwar Sharma R/O Village-Sitanabad, Sharma Tola, PS-Bakhtiyarpur, Distt-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha
For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 19-08-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115, 137(2), 191, 140(3) and 61 of the Bharatiya Nyaya Sanhita.
3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and in sum and substance the informant alleges that on 27-6-2024, his minor son aged about 17 years was kidnapped by the accused persons



for the purposes of marrying Kajal Kumari, daughter of Kumeshwar Sharma.

4. The learned counsel for the petitioners submits that the date of the occurrence of kidnapping is 27-6-2024, and the FIR came to be instituted on 2-12-2024 based on a complaint case filed by the informant on 13-9-2024. It is further submitted that even the son of the informant had returned home prior to 13-9-2024, as such, the complaint petition was filed after the return of the son of the complainant. It is next submitted that had the occurrence of kidnapping been real, in that event, the informant would have immediately instituted an FIR or a complaint case. It is further submitted that the son of the informant was in love with Kajal and they performed their marriage, which irked the informant. It is next submitted that the entire family members of Kajal Kumari, including Kajal, have been implicated in the instant case. It is also submitted that the petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their 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) each 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 Saharsa Sadar P.S. Case No. 1331 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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