

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53363 of 2025

Arising Out of PS. Case No.-161 Year-2025 Thana- BANMANKHI District- Purnia

=====

Ankit Kumar Son of Sri Manoj Sah Resident of Hatiaundha P.S -Bihariganj,
Dist- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Upendra Yadav son of Late Shanichar Yadav R/o Vill - Pipra, Ps-
Banmankhi, Dist- Purnea

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Dilip Kumar No. 1

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in Banmankhi P. S. Case No.161 of 2025 registered for
the offences punishable under Sections 137(2), 96 and 3(5) of
the B.N.S.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that named accused persons including the
petitioner were staying on rent near his house. Further, on
18.05.2025, the accused persons took away his minor daughter
aged about 15 years. It is next alleged that Gurudev and Pintu



saw the accused taking the victim away, but they thought that they were going for an outing, as such, did not inform the police.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that there is a delay of six days in instituting the FIR. It is further submitted that the petitioner and the victim were in love and the victim on her own sweet-will left with the petitioner for Jammu and Kashmir. It is next submitted that statement of the victim was recorded under Section 183 B.N.S.S. wherein she has stated that petitioner took her to Jammu and took her there for 15 days and thereafter, they came back. It is next submitted that victim does not allege that she was ill-treated or sexually exploited.

5. Learned A.P.P. opposes the anticipatory bail application and submits that what is not in dispute as per the allegation in FIR is that victim is aged about 15 years and is a minor and even if the victim willingly accompanied the petitioner, then also consent of a minor has no evidentiary value, rather the presumption is that victim was taken away from the lawful guardianship of her parents without their knowledge which amounts to kidnapping.



6. Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The prayer of the petitioner for anticipatory bail stands rejected.

(Satyavrat Verma, J)

vikash/-

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

