

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58877 of 2025

Arising Out of PS. Case No.-189 Year-2022 Thana- PHULWARIYA District- Gopalganj

Gobinda Kumar Son of Banshi Chaudhary Resident of Village - Bishunpur,
P.S.- Phulwariya, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 11-09-2025 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Phulwariya P.S. Case No.189/2022, registered for the offences punishable under Sections 366A, 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his minor daughter was kidnapped by the petitioner and Bansi with an intent to marry.

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 informant was aware of the fact that the victim and petitioner were in love and they had eloped but still a case of kidnapping was instituted. It is further submitted that victim has come back and her statement was recorded under section 164 Cr.P.C., wherein she has not supported the case of the



prosecution rather has stated that she has married the petitioner and out of the wedlock, a child was born, who presently is aged about 3 years.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that victim at the time of occurrence, was a minor, as such, an offence has been committed by the petitioner. The learned APP further submits that it is a good case for regular bail.

5. At this stage, the learned counsel for the petitioner seeks permission to withdraw the anticipatory bail application with liberty to surrender and seek regular bail.

6. Permission is accorded.

7. The anticipatory bail application of the petitioner is dismissed as withdrawn with aforesaid liberty.

8. It is made clear that in the event if the petitioner surrenders on or before 08.10.2025, in that event, the learned trial court shall consider and dispose of the application of the petitioner on the same day, keeping in mind the fact that victim has not supported the case of the prosecution.

(Satyavrat Verma, J)

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