

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61315 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- GWALPARA District- Madhepura

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Ramotar Sah S/o Late Shubhuklal Sah R/o Village - Sukhasan, Ward No.11,
P.S - Arar, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Rashmi

For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-09-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Gwalpara (Arar) Police Station Case No. 46 of 2025, dated 20.02.2025, disclosing offences under Sections 137(2)/96/3(5) of the Bhartiya Nyaya Sanhita.
3. The prosecution case, as per the First Information Report, is that the informant's minor daughter had gone to purchase domestic articles from village shop, but did not return. Later, the informant received information that the accused Raja Kumar, who is son of the petitioner, had kidnapped informant's daughter on gun point and took her away on his motorcycle. When the informant inquired about the incident, the petitioner and his other son, abused



and threatened him of life.

4. Learned counsel for the petitioner submits that the petitioner is innocent has not committed any offence in the manner alleged and he has falsely been implicated in the present case merely because he happens to be the father of accused Raja Kumar, who has been alleged to have kidnapped the informant's daughter. Nothing has specifically been alleged against the petitioner regarding kidnapping. He next submits that there was love affair between the petitioner's son and informant's daughter. The victim girl has been recovered and in her statement recorded under Section 183 of the B.N.S.S., 2023, she has stated that she herself fled away with accused Raja Kumar on the alleged date of occurrence and performed inter-caste marriage in a temple inasmuch as they were having love affair. She further stated that she wants to live with Raja Kumar in her matrimonial home.
5. Having regard to the submissions made on behalf of the parties and taking into consideration statement of the victim girl recorded under Section 183 of the Bhartiya Nagrik Suraksha Sanhita, 2023, and the fact the petitioner is father of accused Raja Kumar, I am inclined to grant



the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Uda-Kishunganj, Madhepura, in connection with Gwalpara (Arar) Police Station Case No. 46 of 2025, subject to the condition laid down under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

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