

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63950 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- BHAGWANPUR District- Vaishali

Rohit Kumar, S/o Ravindra Shah R/o - Bakhra Buzurg,, P.S - Bhagwanpur,
District - Vaishali At present R/o - 834/16, Sector - E, Nandbag Colony,
Indore, Madhya Pradesh, Pin - 452006

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Mishra- Advocate

Ms. Singh Shivani- Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2025 1. Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 96, 137(2) 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 on 02.03.2025, four accused persons namely, Golu, Bhola, Babita and Chhotu came on a motorcycle and kidnapped her minor daughter and they made commit sexual assault. Further, on enquiry, it transpired that the motorcycle belonged to Nikhil who had given mobile and SIM card to the victim and thus, might be involved in the occurrence.



4. The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that the informant specifically alleges that Golu, Bhola, Babita and Chhotu came on a motorcycle and kidnapped her minor daughter and on enquiry, it transpired that the motorcycle belonged to Nikhil who had given SIM and mobile to the victim, but then, petitioner is not named in the FIR. It is also submitted that the allegation gives an impression that the victim was not kidnapped rather had eloped. It is submitted that victim was in a relationship with Golu and they eloped to West Bengal from where the victim was recovered on 28.03.2025 by the police from a room at Belur Math, District- Hawara, West Bengal. It is submitted that after the victim came back, her statement was recorded under Section 183 BNSS wherein she disclosed that Golu, Chhotu and petitioner had taken her away against her wish. The learned counsel submits that no doubt, victim is a minor, but then, the petitioner is not named in the FIR and his name transpired for the first time in the statement of the victim merely for the reason that he is cousin brother of Golu. It is next submitted that petitioner resides at Madhya Pradesh as would manifest from the description of the petitioner given in the anticipatory bail application. It is also submitted



that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-VI-cum-Special Judge POCSO, Vaishali at Hajipur in connection with Bhagwanpur (Vaishali) P. S. Case No.58 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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