

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70342 of 2025

Arising Out of PS. Case No.-124 Year-2024 Thana- DANDARI District- Begusarai

Santosh Kumar @ Fantush Kumar Son of Bhagloo Sah Resident of Vill and P.O. and P.S.- Dandari, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Adv.
For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-11-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 137, 3(5) and 96 of the BNS, 2023.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his daughter was kidnapped by the petitioner along with other accused persons.
4. Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that the date of occurrence is 21.11.2024 and the FIR came to be instituted on 01.12.2024 i.e. after a delay of more than 9 days which casts an aspersion on the case of the



prosecution. It is also submitted that petitioner and the victim were in love and they eloped. It is next submitted that informant in the FIR has not disclosed the age of the victim which amply demonstrates that victim on the date of occurrence was not a minor, it is further submitted that the statement of the victim was recorded under Section 183 BNSS wherein she has stated that her marriage was fixed by her parents with someone who was not to her liking, a such, she fled from the house and thereafter came in contact with the petitioner with whom she was in love and accordingly she came to Bangalore along with the petitioner. It is next submitted that the fact that victim herself has disclosed that her marriage was fixed by her parents with someone that amply demonstrates that victim is not a minor.

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

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 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) 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 Dandari P.S. Case No. 124 of 2024 subject to the conditions as laid down under Section 482 (2) of BNSS.

(Satyavrat Verma, J)

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