

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13550 of 2026

Arising Out of PS. Case No.-98 Year-2022 Thana- BAGENGOLA District- Buxar

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1. Pawan Kumar S/O Munna Mahto Resident of Village- Dharauli, Police Station- Bagengola, District- Buxar.
 2. Raviranjana Kumar S/O Munna Mahto Resident of Village- Dharauli, Police Station- Bagengola, District- Buxar.
 3. Babita Devi W/O Munna Mahto Resident of Village- Dharauli, Police Station- Bagengola, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kr. Pandey, Adv.
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 26-02-2026 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Bagengola P.S. Case No. 98 of 2022 registered for the offence(s) under Section(s) 363 and 366(a) of the Indian Penal Code.

3. The prosecution case is to the effect that on



25.09.2022, the grand-daughter of the informant, aged around 17 years, was missing. It has been alleged that the accused/Pawan Kumar (petitioner No. 1), with the help of all his family members with an intention of marriage, had enticed away the grand-daughter of the informant.

4. The learned counsel for the petitioners submits that they have falsely been implicated in this case and, in fact, the victim had gone out of her own sweet will and such fact finds support from her statement made under Section 183 of the B.N.S.S., wherein she has stated that she had also married the petitioner No. 1, namely, Pawan Kumar. It has been submitted that the victim, thereafter, was sent along with the father-in-law to her matrimonial home, which fact is also evident by order dated 09.09.2025 passed by the learned Judicial Magistrate-Ist Class, Buxar. It has, thus, been submitted that the petitioners have not committed any offence, especially petitioner Nos. 2 and 3 had no concern whatsoever with the said occurrence of kidnapping of the victim girl. It has lastly been submitted that the petitioners have clean antecedents.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.



6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners, above-named, be released on anticipatory bail, in the event of their arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on their furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Bagengola P.S. Case No. 98 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) The victim and the informant shall be heard personally by the learned Court below prior to accepting the bail bonds of the petitioners and only if the factum of marriage with petitioner and victim staying at her matrimonial house is accepted by victim, the bail bonds shall be accepted.

(ii) One of the bailors of the petitioners shall be their close relative and the other shall be a local resident.

(iii) The petitioners shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iv) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of



the petitioners will be liable to be cancelled by the concerned Court.

(v) The concerned Court shall verify the criminal antecedents of the petitioners and in case, at any stage, it is found that they have concealed their criminal antecedents, the Court concerned shall take necessary steps for cancellation of their bail bonds. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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