

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18076 of 2026

Arising Out of PS. Case No.-103 Year-2025 Thana- Karvandiya District- Rohtas

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Amit Kumar @ Amit Kumar Gupta @ Chhotu Son of Janki Sah Resident of
Village - Amri Tola, P.S.- Karwandiya, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashwani Kumar Tiwary

For the Opposite Party/s : Mr.Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-04-2026 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Karwandiya P.S. Case No. 103 of 2025 dated 07.09.2025
registered under Section 87, 137 (2) of the B.N.S., 2023.

3. As per the prosecution case the informant's daughter,
aged about 22 years, went to market, but did not return. Upon
search, informant came to know that the petitioner has
kidnapped the daughter of the informant with intention to marry.

4. Learned counsel for the petitioner submits that the victim
girl is major and there was love relationship between the
petitioner and the victim. The victim solemnized marriage with
the petitioner and Marriage Registration Officer, Uttar Pradesh
granted certificate of registration of marriage declaring that
marriage of the petitioner with the victim girl was solemnized



on 03.09.2025 at Vedant Sanatan Hindu Seva Mandir, Lucknow, U.P. The victim girl filed Criminal Misc. Writ Application No. 8742 of 2025 before the Hon'ble High Court of Judicature at Allahabad, Lucknow Bench seeking protection of her personal liberty and a direction to the authorities not to interfere with the peaceful life and personal liberty of the girl. Accordingly, a Division Bench of Hon'ble High of Judicature at Allahabad disposed the writ application with a direction to the opposite parties not to interfere in the peaceful life and personal liberty of the victim girl in any manner. Copy of the order passed by High Court of Judicature at Allahabad at Lucknow Bench has been annexed as Annexure – P/2.

5. I have heard learned counsel for the petitioner and perused the impugned order. The learned District & Additional Sessions Judge -IX, Rohtas at Sasaram while refusing the prayer for anticipatory bail has taken note of the fact that paragraph no. 16 of the case diary contains the statement of the victim recorded under Section 180 of the B.N.S.S. in which the victim has stated that on 28.08.2025 the petitioner forcefully make her sit in Scorpio and took her to Lucknow and forcefully established sexual relation with her. She has also stated that on 03.09.2025 he forcefully took her to Lucknow Court, threatened



her and solemnized court marriage with her. The victim girl herself has admitted in her statement and has also stated that the petitioner forcefully took her with him and threatened her for solemnization of marriage with him even though he was already a married man, aged about 39 years, having children. She has also admitted that marriage was solemnized out of fear. She has also stated that she is not aware that any writ petition was filed on her behalf before the Hon'ble Allahabad High Court.

6. Accordingly, this Court agrees with the view of learned Sessions Judge that it cannot be denied that the consent of victim taken for filing of case or solemnization of marriage could be achieved by the petitioner by compulsion and coercion as at that time she was in the custody of the petitioner, investigation in the case is still going on, as such, taking into consideration the gravity of offence, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

(Anil Kumar Sinha, J)

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