

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23788 of 2026

Arising Out of PS. Case No.-14 Year-2026 Thana- Mufassil District- Khagaria

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Tuntun Choudhary @ Tuntun Kumar @ Tuntun Chaudhary S/o Hareram
Chaudhary R/o Village - Rahimpur Charkhutti, Ward No. 14, P.S. - Mufassil,
Dist. - Khagaria, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shankar Roy, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mufassil P.S. Case No. 14 of 2026 dated 27.01.2026 registered for the offence punishable under Section/s 137(2), 140(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant's 21-year-old daughter went to the market on 26.01.2026 but did not return, and it is suspected that Gulshan Kumar and his family members have kidnapped her for human trafficking with wrongful intent.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The petitioner is the uncle of the co-accused,



Gulshan Kumar @ Chhotu, who is said to be in a love affair with the informant's daughter, and both of them have also solemnized marriage in Delhi with their mutual consent and, for this reason, the entire family has been implicated in this case. It is further submitted that no role of the petitioner, as uncle, has been mentioned in the statement of the victim girl recorded under Section 183 of the B.N.S.S. It is also submitted that nothing specific has been alleged against the petitioner and he has been unnecessarily implicated in the present case merely on account of his being uncle of the co-accused, Gulshan Kumar. Lastly, it is stated that the petitioner is a person of clean antecedents.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that nothing specific has been alleged against the petitioner and the fact that he is the uncle of the co-accused, Gulshan Kumar, who is said to have love affair with the informant's daughter and has also solemnized marriage with her, as recorded in the statement of the victim girl made under Section 183 of the B.N.S.S., let the petitioner, above named, be released on anticipatory bail in the event of his arrest or



surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Mufassil P.S. Case No. 14 of 2026, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

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