

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31615 of 2026

Arising Out of PS. Case No.-32 Year-2026 Thana- PHULWARIA District- Begusarai

Santosh Kumar @ Santosh Mahto Son of Late Bachchan Mahto @ Bechan Mahto Resident of Village - Phulwaria 02, Dindayal Road, Police Station - Phulwaria, District - Begusarai.

.. ... Petitioner/s

Versus

1. The State of Bihar
2. Dhanjeet Pandit Son of Jagdish Pandit Resident of village - Shokhara 02, Ucch Tola, Ward No. 04, Police Station - Phulwaria, District - Begusarai.

... ... Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sarvottam Kumar
For the Opposite Party/s	:	Mr.Nirmala Kumari
For the State	:	Mr. Madan Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 17-07-2026 Heard learned counsel for the petitioner and learned APP appearing for the State.

2. The petitioner has preferred this application for grant of anticipatory bail in connection with Phulwaria P. S. Case No. 32 of 2026 registered for the offences punishable under Sections 96, 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution story, a written report was submitted before the S.H.O., Phulwaria Police Station, on 14.02.2026, alleging that on the morning of the same day, the informant's daughter, Neha Kumari, aged about 17 years, informed her parents that she was going to their newly constructed house situated near the house of Gujo

Singh. Thereafter, she also told her grandmother that she was proceeding to their old house for the preparation of Shivratri. However, she did not return till late at night. Upon her failure to return, the informant and his family made extensive efforts to search for her. During the course of the search, the informant came to know that his daughter had been on talking terms with one Rocky Kumar for the last two years. On the basis of this information, the informant expressed his firm belief that his daughter had eloped with the said Rocky Kumar. It was further alleged that Santosh Mahto, the uncle of the main accused Rocky Kumar, was also one of the associates of the alleged occurrence.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has falsely been implicated in this case. From the perusal of FIR appears that the alleged occurrence is stated to have taken place on 14.02.2026, however, despite the informant having knowledge of the alleged occurrence on the very same day, the present F.I.R. was instituted only on 16.02.2026, after a delay of two days, without any explanation for such delay

in lodging of the F.I.R. It is further submitted on behalf of the petitioner that he neither kidnapped the victim nor had any concern or involvement with the alleged occurrence. The present case has been falsely instituted against the petitioner at the instance of the informant under the pressure of the villagers. From perusal of the case diary it appears that statement of victim Neha Kumari has been recorded in para-128 of the case diary, in which she has clearly stated that she left her house and went to Delhi out of her own will where she solemnized marriage with Rocky Kumar in a temple and no one has kidnapped her.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and statement of victim recorded under Section 183 of the BNSS and considering the clean antecedent of the petitioner, let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender within a period of four weeks from the date of receipt/production a copy of this order, on furnishing bail bonds of Rs. 10,000/-

(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st cum A.M Begusarai in connection with Phulwaria P.S. Case No. 32 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS.

(S. B. Pd. Singh, J)

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