

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24826 of 2026

Arising Out of PS. Case No.-368 Year-2025 Thana- LAKHISARAI District- Lakhisarai

Sharwan Kumar S/o Leela Paswan @ Anil Paswan R/o village -
Mahammadpur, P.S - Bakhtiyarpur, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahesh Saw S/o Late Shivalak Saw R/o Village- Bakhtiyarpur, P.S.-
Bakhtiyarpur, Distt.- Patna. At present - Ashokdham, P.S.- Lakhisarai, Distt.-
Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 17-07-2026 Heard the learned counsel for the petitioner and

learned Additional Public Prosecutor for the State but despite
notice having been served, no one has entered appearance for
the O.P. No. 2 being informant and father of the victim.

2. The petitioner is apprehending his arrest in
connection with Lakhisarai P.S. Case No. 368 of 2025, F.I.R
dated 24.07.2025 registered for the offences punishable under
Sections 137(2), 140(3), 96 of the Bharatiya Nyaya Sanhita,
2023.

3. According to prosecution case, the informant
alleged that his 17-year-old minor daughter went missing from
his house on 21.07.2025 along with Rs.20,000/- in cash and a



mobile phone. On the next day, he learnt at his ancestral village that the petitioner, Sharwan Kumar, had allegedly kidnapped his minor daughter with the intention of marrying her. When the informant approached the petitioner's parents, they allegedly evaded the matter.

4. Learned counsel for the petitioner submits that the petitioner and the victim girl was in love affair for the last four years and by referring to the statement recorded under Section-183 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), it has been submitted that the age of the victim girl has been recorded 18 years, in which the victim herself stated that they went to Howrah, thereafter Chennai and from Chennai to Munger, where both of them met to get her statement recorded. It has next been submitted that they are already married and are residing in a rented flat at Patna and she has shown willingness to live with the petitioner, who according to the victim is her husband.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that the petitioner and the victim, who according to the statement recorded under Section 183 of the Bharatiya Nagarik



Suraksha Sanhita (BNSS) is found to be major and presently they are married and willingness having been shown by the victim to stay with her husband, who is petitioner in this case. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with aforementioned case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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/her/their 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;
(iv) the petitioner(s) shall desist
from committing any criminal offence again,
failing which the State shall be at liberty to
take steps for cancellation of their bail
bonds.*

(Ajit Kumar, J)

rajan/-

U		T	
---	--	---	--

