

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36834 of 2026

Arising Out of PS. Case No.-74 Year-2020 Thana- ISHUPUR BARAHAT District- Bhagalpur

Sandeep Pandey @ Sandeep Kumar Pandey, Son of Ramlochan Pandey permanent resident of village- Sundrachak, P.S.- Ishipur Barahat, District- Bhagalpur, at present resident of 2-64/123/44, PGR Nagar, Gachibowli, P.S.- Raidurgam, District- Rangareddy (Telangana).

... .. Petitioner

Versus

1. The State of Bihar
2. Rita Devi, Wife of Late Dinesh Prasad Singh, Resident of Village-Chhoti Saho, P.S.- Ishipur Barahat, District- Bhagalpur.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, APP
For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR

and apprehending his arrest in connection with Ishipur

Barahat P.S. Case No.74 of 2020 registered under Sections

363 and 366-A of the Indian Penal Code.

3. As per FIR, named co-accused persons

kidnapped the minor daughter of informant aged about 16

years for the purpose of illicit intercourse/marriage with

another person.

4. It is submitted by learned counsel that during



the course of investigation, the statement of victim under Sections 161 and 164 of the Code of Criminal Procedure (in short 'CrPC') was recorded, where while recording her statement under Section 161 of the CrPC, she straightway stated that she left her parental home for co-accused Santosh Pandey with whom she solemnized marriage at Hyderabad and thereafter started to live as wife and husband and as she came to know that her mother instituted a criminal case, thereafter, she came to Bihar. It is pointed out that modifying her aforesaid statement under Section 164 of the CrPC, the victim stated that this petitioner forcefully kidnapped her from her parental home and hand over to one Awadhesh Kumar Pandey at Patna Airport for Hyderabad. It is argued that petitioner was working at Hyderabad and known to Santosh Pandey with whom this victim solemnized her marriage after leaving Bihar. It is submitted that being agnate and known to Santosh Kumar, this petitioner was implicated with present crime in question. The petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of bail.



6. In view of aforesaid factual submissions and by taking note of contradictions as discussed aforesaid *qua* involvement of petitioner with present crime in question out of statement of victim recorded under Sections 161 and 164 of the CrPC, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Bhagalpur or Successor Court in connection with Ishipur Barahat P.S. Case No.74 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short 'CrPC')/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS').

(Chandra Shekhar Jha, J.)

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