

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37431 of 2026**

Arising Out of PS. Case No.-37 Year-2026 Thana- SIMRI District- Darbhanga

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Amit Yadav @ Amit Kumar Yadav S/O Sonelal Yadav R/O Village- Simri,  
P.S- Simiri, Distt.- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shankar Yadav S/O Gorakh Yadav R/O Village- Simri Ward No.-10, P.S.-  
Simri, Distt.- Darbhanga.

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| For the Petitioner/s     | : | Mr. Baidyanath Prasad, Advocate |
| For the Opposite Party/s | : | Ms. Gulnar Begum, A.P.P.        |
| For the Informant        | : | Mr. Kedar Jha, Advocate         |

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      17-06-2026                      1. Heard learned counsel for the petitioner, learned  
A.P.P. for the State and learned counsel appearing on behalf of  
the informant.
2. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 126(2),  
137(2), 96, 352 and 3(5) of the BNS.
3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and the informant  
alleges that petitioner along with others kidnapped his minor  
daughter aged about 14 years and also took away jewellery and  
cash.
4. Learned counsel for the petitioner submits that  
petitioner has been falsely implicated in the instant case by the



informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant also alleges that the petitioner kidnapped his daughter along with jewellery, cash and clothes which he had kept in the house for marriage of his daughter. It is, thus, submitted that had the daughter of the informant been a minor in that event the informant would not have collected cash and jewellery for the purposes of marriage. It is next submitted that the victim came back and her statement was recorded under Sections 180 and 183 BNSS and from perusal of the statement of the victim recorded under the aforesaid sections, it would manifest that the same is diatomic. It is also submitted that in her statement recorded under Section 183 BNSS, the victim has said that she had gone to Delhi where she married the petitioner which amply demonstrates that the victim was not kidnapped.

5. Learned Additional Public Prosecutor for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner. Learned counsel appearing on behalf of the informant submits that a specific allegation is alleged in the FIR that the victim is a minor aged about 14 years and in her statement recorded under Section 183 BNSS, the victim disclosed her age as 14 years.



Learned counsel further submits that even presuming that the victim and the petitioner, who is a major, were in love whether such relationship could have been acted upon. It is next submitted that consent of a minor is immaterial.

6. At this stage, learned A.P.P. for the State submits that investigation of the case is continuing and if the police will find that petitioner was not involved in the occurrence then final form would be submitted but if it is found that petitioner was involved in the occurrence of kidnapping, the law will take its own course.

7. After hearing the learned counsel for the parties and taking into consideration the submissions made by the learned counsel appearing on behalf of the informant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Simri P.S. Case No. 37 of 2026 pending in the Court of learned Chief Judicial Magistrate, Darbhanga/Successor Court.

8. Hence, the prayer for anticipatory bail is rejected.

**(Satyavrat Verma, J)**

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