

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38716 of 2026

Arising Out of PS. Case No.-164 Year-2025 Thana- DANDARI District- Begusarai

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Amit Kumar @ Amit Tanti, Male, aged about 23 years, S/O Grish Tanti @
Girish Tanti R/O Village - Katahari, Katahari, Ward No.- 1, Mahipa Tol, P.S-
Dandari, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-06-2026 Heard learned counsel appearing on behalf of the

petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Dandari P.S. Case No. 164 of 2025 registered for the
offence(s) punishable under Sections 137(2), 96, 3(5) of the
BNS.

3. As per the allegation made in the FIR, the
petitioner along with other co-accused persons allegedly
kidnapped the minor daughter of the informant, who is mother
of the victim.

4. Learned counsel appearing on behalf of the
petitioner submitted that after recovery of the victim girl, her
statement was recorded under Section 183 BNSS in which she



has admitted that on her own free will, she tied the knot with the petitioner and now they are living together as husband and wife. The statement of the victim is mentioned in paragraph no.67 of the case diary. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail and submitted that at the time of alleged occurrence, the girl was minor and complicity of the petitioner in the alleged offence cannot be denied.

6. Having heard the rival submissions made on behalf of the parties and upon perusal of the FIR, as well as, the impugned order, I find that it was submitted before the learned District Court that the victim, in her statement recorded under Section 183 of the BNSS, has not supported the prosecution case, as would appear from paragraph no. 67 of the case diary. It is also evident from the records that the victim was a minor at the time of the alleged occurrence, however, she has stated that she had married the petitioner with her free consent. Considering the fact that the petitioner is about 23 years of age and he was in love relationship with the daughter of the informant, and that they are presently living together as husband and wife, I am of the *prima facie* opinion that the petitioner has



made out a case for grant of pre-arrest bail

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court 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 Judicial Magistrate, 1st Class, Begusarai / Concerned Court in connection with Dandari P.S. Case No. 164 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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