

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45457 of 2026

Arising Out of PS. Case No.-116 Year-2025 Thana- BASANTPUR District- Siwan

Kundan Kumar S/o Prabhu Prasad @ Prabhu Sah R/o Village - Basantpur,
P.S.- Basantpur, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o Y R/o Village- Basantpur, P.S.- Basantpur, District- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam
For the Opposite Party/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-07-2026 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 137(2), 140(3), 3(5) of the B.N.S., 2023. Later on Section 352 BNS, Section 12 of POCSO Act and Sections 3(1) (r)(s)(w) of SC/ST Act were added.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that her minor daughter aged about 17 years was kidnapped by the petitioner, Golu, Vicky and Nitish with an intent to marry.

4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is next submitted that petitioner and the victim were in love and they eloped and they have performed their marriage. It is also submitted that though in the FIR it is alleged that victim is a minor aged about 17 years but then the said allegation has been alleged only to give seriousness to the case, when victim is a major. It is also submitted that on coming to know about institution of the instant case, the victim came back and her statement was recorded under section 180 and 183 BNSS, wherein she has not supported the case of the prosecution as pleaded at Para-11 of the anticipatory bail application. It is also submitted that victim presently is staying in her matrimonial home.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection



with Basantpur P.S. Case No.116 of 2025, subject to the
conditions as laid down under Section 482(2) B.N.S.S.

(Satyavrat Verma, J)

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