

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44442 of 2026

Arising Out of PS. Case No.-146 Year-2026 Thana- PAKARIBARAW District- Nawada

Sajjan Kumar @ Sajjan S/O Anuj Singh @ Anuj Kumar Singh Resident of
Village - Keshauri, Police Station - Pakribarawan, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 27-07-2026 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 137(2), 96
and 3(5) of the BNS.

3. Learned counsel appearing on behalf of the petitioner
submits that petitioner is a person with clean antecedent and the
informant alleges that his daughter on 14.04.2026, at 10:00 a.m.,
had gone to Warisaliganj and was carrying her mobile but did not
return. Further, the informant was informed by his neighbour that
the victim was seen with Narayan Pandey and petitioner, thus,
alleges that the aforesaid accused persons kidnapped the daughter of
the informant.

4. Learned counsel appearing on behalf of the petitioner



submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that the case was taken up on 22.07.2026 and the Station House Officer and the Investigating Officer of the case were directed to remain physically present before this Court.

5. The Station House Officer and the Investigating Officer of the case, in compliance of the order dated 22.07.2026, are present in the Court.

6. The Station House Officer and the Investigating Officer of the case submitted that the victim was recovered from Uttar Pradesh and her statement was recorded under Section 180 BNSS wherein she did not support the case of the prosecution, rather stated that she was in love with one Ajay for the last two years and was in touch with him on Snapchat and through mobile, they also submitted that Ajay and the victim performed their marriage and the victim has also made a video viral on the said issue but then did not disclose the name of the boy with whom she had performed her marriage but then it is submitted that the victim in her statement recorded under Section 183 BNSS took a U-turn on which learned counsel appearing on behalf of the petitioner submits that the statement of the victim as recorded under Section 183 BNSS is completely dichotomic from the statement recorded under Section 180 BNSS. It is further submitted that the thrust of



the allegation in her statement recorded under Section 183 BNSS is against Narayan Pandey and the petitioner. It is next submitted that the victim did not even remotely disclose in her statement recorded under Section 183 BNSS that she was in touch with Ajay of Uttar Pradesh from where she was recovered. It is also submitted that informant was aware of the fact that the victim was in touch with Ajay of Uttar Pradesh through Snapchat and mobile but then for reasons best known did not raise any suspicion against Ajay while instituting the instant FIR.

7. Learned counsel appearing on behalf of the petitioner submits that if the privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence as the victim in her statement recorded under Section 183 BNSS has stated that it was Narayan Pandey who wanted to marry her and was pressurizing and petitioner being friend also came to be implicated.

8. 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.

9. Learned counsel appearing on behalf of the informant submits that from perusal of the order impugned, it would manifest that the learned District Court records that member of the Child Welfare Committee was called for and she supported the case of



the prosecution and also disclosed that the Investigating Officer tutored the victim to depose in the manner she has deposed under Section 183 BNSS, further submits that Narayan Pandey and petitioner kidnapped the victim and sold her to Ajay.

10. Learned counsel appearing on behalf of the petitioner submits that it is not in dispute that the victim was recovered from Kushinagar, Uttar Pradesh, but then in her statement recorded under Section 183 BNSS, the victim does not even remotely disclose that from where she was recovered nor she alleges that she was sold by Narayan Pandey and petitioner to Ajay. It is further submitted that had the victim been kidnapped by Narayan Pandey and petitioner for the purposes of selling her in that event the victim would have disclosed the said fact. It is next submitted that no doubt, the order impugned records that the Chairperson, Child Welfare Committee before the learned District Court stated that the victim is a survivor of human trafficking and sexual abuse but then the victim was not examined medically since she had refused medical examination.

11. The said submission of the learned counsel appearing on behalf of the petitioner that the victim had refused medical examination is not rebutted by the learned counsel appearing on behalf of the informant.

12. After hearing the learned counsel for the parties, let



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 Pakribarawan P.S. Case No. 146 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

13. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

14. The personal appearance of the Station House Officer and the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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