IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46370 of 2026

CNR No. BRHC010661062026

Arising Out of PS. Case No.-242 Year-2025 Thana- BHARGAMA District- Araria

==========

Tiran Kumar @ Sanjeev Kumar S/O Dhayani Sharma R/O Village- Sonapur (Paikpar), Ward No. 03, Sharma Tola, P.S.- Bhargama, Distt.- Araria (Bihar).

... ... Petitioner/s

Versus

1. The State of Bihar
2. JAGDEV YADAV SO LATE JANAK YADAV RO VILL POTHIYA PAIKPAR WARD NO 01 PS BHARGAMA DISTRICT ARARIA

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Madhav Jha, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

==========

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

6 19-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State. Even after valid service of notice, none appears on behalf of the opposite party no. 2.

2. This application for anticipatory bail arises out of Bhargama P.S. Case No. 242 of 2025 for the offences punishable under Sections 137(2), 96, 126(2), 115(2), 352, 3(5) of the B.N.S.

3. As per allegation, the petitioner along with other co-accused persons, named in the FIR, kidnapped the minor daughter of the informant, who happens to the victim of the case, the informant apprehended that her daughter would be sold

WEB COPY

in Punjab.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. Learned counsel for the petitioner has referred to the statement of the victim recorded under Section 183 of the B.N.S.S. in which she has stated that she had love affair with this petitioner since last one year and both of them willfully eloped on 29.06.2025 and solemnized marriage in Delhi. The victim has further stated that this petitioner started assaulting her after two to four days of marriage and a demand of Rs. 3,000/- was made by the petitioner, which was duly paid by the father of the victim, and after the said payment, her brother came to Delhi and took her away. Learned counsel for the petitioner has referred to Paragraph 43 to 46 of the case diary and has submitted that the police got an information that the victim is at her house, thereafter, police went there and recovered the victim. Learned counsel for the petitioner has further submitted that recovery of the victim from her house raises suspicion, moreover, there is no allegation of sexual assault against the petitioner and they were consenting parties. It has further been submitted that there is no element of ‘enticing away’ or ‘taking away’ which is evident from the statement of the victim recorded under Section 183 of

WEB COPY

the B.N.S.S., rather she willfully joined the company of the petitioner on her own sweet will. It has lastly been submitted that the petitioner has got no criminal antecedent.

5. Learned counsel for the State opposed the prayer of anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the facts and circumstances as well as the statement of the victim recorded under Section 183 of the B.N.S.S. and there being no element of ‘enticing away’ or ‘taking away’ at the time of joining the company of the petitioner, let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria, in connection with Bhargama P.S. Case No. 242 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita.

8. This application stands allowed.

(Praveen Kumar, J)

Sahil/-

U		T	

WEB COPY