

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56377 of 2025

Arising Out of PS. Case No.-126 Year-2025 Thana- KHANPURA District- Samastipur

1. Gopal Sahni @ Gopal Sahni Das, Aged about 43 years (Male) Son of Takko Sahni
2. Shubhkala Devi, aged about 40 years (F), Wife of Gopal Sahni @ Gopal Sahni Das.
Both are residents of Village -Gudarghat, Wad No 18, P.S. -Khanpur, District -Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jainarayan Mahto son of Shriu jageshwar Mahto Resident Of Vill -Gudarghat, Wad No 18, Ps -Khanpur, Dist -Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Kumar Prasad, Advocate
For the Informant	:	Mr. Raja Ram Mishra, Advocate
		Mr. Raj Kumar, Advocate
For the State	:	Mr. Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 11-02-2026 Heard Mr. Sheo Kumar Prasad, learned counsel appearing on behalf of the petitioners; Mr. Raja Ram Mishra, learned counsel for the Informant and Mr. Md. Matloob Rab, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Khanpur P.S. Case No. 126 of 2025, registered for the offence punishable under Sections 87 and 3(5) of the BNS.

3. As per the allegation made in the FIR, the petitioners along with co-accused Sachin Kumar, had allegedly kidnapped the minor daughter of the informant with an intention



to marry.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. He further submitted that petitioners are father and mother of the main accused Sachin Kumar, against whom it has been alleged that with an intention to marry, he had kidnapped the minor daughter of the informant. The victim, in her statement recorded under Section 183 BNSS on 16.09.2025, has given specific information that she was in love relationship with the co-accused Sachin Kumar and she, on her own, had eloped with him and had performed marriage with the said Sachin Kumar on 01.06.2025 and has not supported the prosecution case. The son of the petitioners has just emerged as an adult being aged about 18 years and the victim is aged about 16 years and at this stage, natural attraction for the opposite sex cannot be denied coupled with the several psychological and physiological change person undergo. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned counsel appearing on behalf of the informant and learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.



6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the petitioners are father and mother of the main accused Sachin Kumar, against whom it has been alleged that with an intention to marry, he had kidnapped the minor daughter of the informant. The victim, in her statement recorded under Section 183 BNSS on 16.09.2025, has given specific information that she was in love relationship with the co-accused Sachin Kumar and she, on her own, had eloped with him and had performed marriage with the said Sachin Kumar on 01.06.2025 and has not supported the prosecution case. The son of the petitioners has just emerged as an adult being aged about 18 years and the victim is aged about 16 years and at this stage, natural attraction for the opposite sex cannot be denied coupled with the several psychological and physiological change person undergo. Petitioners have clean antecedent. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their 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) each with two sureties of the like



amount each to the satisfaction of the learned District Court where the case is pending, in connection with Khanpur P.S. Case No. 126 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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