

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87863 of 2025

Arising Out of PS. Case No.-292 Year-2025 Thana- DAGARUA District- Purnia

Santosh Roy @ Santosh Kumar Roy @ Santosh Kumar S/O Dinesh Roy R/O
Village- Gogar Pani Tanki, P.S- Dagarua, Distt.- Purnea.

... .. Petitioner

Versus

1. The State of Bihar
2. A W/O B, D/O X R/O Village- Gogar Pani Tanki, P.S- Dagarua, Distt.- Purnea.
3. X S/O Y R/O Village- Nikh Rail Ward No.-15, P.S- Dagarua, Dist.- Purnea.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Ajit Ranjan Kumar, Advocate
For the Opposite Party/s	:	Mr. Mukesh Kumar Singh, A.P.P.
For the informant	:	Mr. Shailendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-03-2026 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 25.08.2025 in connection with Dagarua P.S. Case No. 292 of 2025 for the offences punishable under Sections 137(2), 140(1) and 3(5) of BNS.

3. The prosecution story, in brief, is that the informant filed an application before S.HO. Dagarua Police Station stating therein that on 14.08.2025 at about 3.30 A.M. his minor daughter aged about 16 years disappear from his house. He



made a search about his daughter. During course of search, he came to know that FIR named accused persons including this petitioner have kidnapped his daughter and kept her in some unknown place. It is next alleged that when he made call on the mobile of Santosh Roy it was switched off. He has suspicion that they will kill his daughter or commit any untoward incident with his daughter.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. Learned counsel for the petitioner submits that, in fact, the petitioner was in love with the victim girl and both have performed marriage on 22.08.2025 at Puran Devi Temple, Purnea and the OP No. 2 has filed a petition dated 08.09.2025 before the Judicial Magistrate, 1st Class, Purnea stating therein that she has performed the marriage with the petitioner. Apart from aforesaid, the victim in her statement recorded under Section 183 of BNSS has not supported the case of the prosecution. Learned counsel for the petitioner further submits that the victim is presently living as a wife in the house of the petitioner with full dignity and honour.

5. The learned Additional Public Prosecutor for the



State and learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner. Learned counsel for the informant fairly submits that she is living in the house of the petitioner as his wife with full honour and dignity.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 Additional Sessions Judge VII-cum-Special Judge (POCSO), Purnea in connection with Dagarua P.S. Case No. 292 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be canceled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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