

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3416 of 2026

Arising Out of PS. Case No.-239 Year-2025 Thana- BARSOI District- Katihar

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Akash Kumar Singh S/O Chetridhar Singh @ Chatradhar Singh Resident of
Village- Sitgram, (Shitgaon, Dhachna), P.S.- Kachna, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarves Kumar Das S/O Deven Das R/O Vill.- Jagatpur, P.S.- Barsoi, Dist.-
Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah, Advocate
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Barsoi P.S. Case no.239 of 2025 registered under sections
137(2), 308(3), 126(2), 115(2), 352 and 3(5) of B.N.S, 2023.

3. The allegations in the F.I.R is that informant's
daughter was kidnapped by the petitioner for the purpose of
marriage.

4. Learned counsel for the petitioner submits that
there is inordinate and unexplained delay in lodging of the F.I.R
inasmuch as while the occurrence took place on 05.09.2025, the
F.I.R was lodged on 27.09.2025. It is further submitted that the



statement of the victim was recorded under Section 183 of the B.N.S.S., which clearly indicates that the petitioner and the victim were in a consensual love relationship. The victim voluntarily left her parental home out of her own free will and accompanied the petitioner and solemnized marriage in a temple and started residing together as husband and wife. It is further submitted that there is no allegation of any sexual assault at the hands of the petitioner. The petitioner has no criminal antecedent and undertakes to cooperate with the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances of the fact and also considering that the victim in her statement recorded under Section 183 BNSS has stated that she eloped with the petitioner out of her own sweet will and had solemnized marriage with him and there is no allegation of any sexual assault upon the victim at the hands of the petitioner, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Barsoi P.S. Case no.239 of 2025 on furnishing



bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Harsh/-

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