

**IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE-1st-CUM-  
SPECIAL JUDGE (SC/ST, NDPS & CHILDREN ACT)  
AURANGABAD (BIHAR)**

**ANTICIPATORY BAIL APPLICATION NO. 359 OF 2026**

**BADEM PS CASE NO: 47 OF 2025**

**Viru Dubey @ Anshu Tiwary, aged about 26 years, S/o-Sanjay Tiwary, R/o Village-Simri, PS-Amba District-Aurangabad(Bihar)**

**....Petitioner**

**Versus**

**State of Bihar**

**....Prosecution**

**Appearance:**

Learned Counsel for the accused-petitioner

- Shri Awadh Kishore Pandey, Ld. Advocate

Learned Counsel for the State

- Shri Ram Naresh Prasad, Ld. APP

**Order with signature of the Court**

**Dated  
25.03.2026**

An anticipatory bail preferred on behalf of the accused-petitioner namely **Viru Dubey @ Anshu Tiwary**, who apprehend his arrest in connection with Badem PS Case No. 47/2025 under Section 96 of the Bhartiya Nyaya Sanhita (BNS), 2023. The LCR has been received. The copy of the bail petition has been served to the Ld. APP for the State. After furnishing the copy of the bail petition to the Additional Public Prosecutor and this bail petition pressed today.

The learned counsel for the petitioner pressing the bail application, reciting the contents of the F.I.R. has tried to show that the accused-petitioner is innocent and he has committed no offence. No any bail application has earlier been filed on behalf of the petitioner either before this court or any other court of law. The petitioner is an accused in Nabinagar PS Case No. 71/2023 U/s-341,323,307,504/34 IPC and Section 3(i)(r)(s), 3(2)(v) of the SC/ST Act. It is further submitted that the petitioner did not abducted the daughter of informant. As a matter of fact, the informant had settled the marriage of his daughter against her will though Soni Kumari wanted to marry with the petitioner. So to avoid unnecessary pressure of father the said Soni Kumari used to live at her native village Ramgarh (Jharkhand). He further submitted that Soni Kumari is not a child her date of birth is 01.01.2008 and further she married with the petitioner on 19.01.2026 before the Registrar of Marriage a Hazaribagh (Jharkhand), the copy of which is attached herewith. The instant case has been lodged only to make undue pressure upon the petitioner. There is no iota of truth in the FIR. The daughter of petitioner is leading happy life with the petitioner after her marriage. The learned counsel for the accused-petitioners has submitted that they are ready to furnish bail bonds of reasonable amount to the satisfaction of this court. Hence, he prayed to enlarge the petitioners on anticipatory bail.

Per-contra, Shri Ram Naresh Prasad, the learned Additional Public Prosecutor appeared on behalf of the State and submitted that the petitioner has committed serious offence of kidnapping of

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a minor girl. Hence, prayed to reject the anticipatory bail petition.

Perused the case record as well as case diary and perusal of case diary, it transpires that the petitioner is named in the FIR. The allegation against the petitioner is that he lured and kidnapped the informant's minor daughter Soni Kumari with intention to marry her. Perusal of the case diary para- 3, 6, and 7 goes to show that in the course of investigation, re-statement of informant and the statement of the witnesses have been recorded by the I.O. of this case under section-180 BNSS. In their respective statements, the witnesses have supported the allegations of kidnapping. Further, it has been alleged that the accused Viru Dubey @ Anshu Tiwary has kidnapped the informant's daughter for marriage. From perusal of para-108 of the case diary, it appears that the victim girl has stated in her statement U/s-180 of the BNSS that on 13.07.2025, she left her home on her own without informing anyone. She went to the nearest station and rented a room in Chhatarpur. After that, when she turned 18, she went to Hazaribagh and married with the petitioner. It is apparent from the case diary that the prosecution story is an issue of love affair. But, the documents attached with the case diary shows that the date of birth of the victim girl is 01.01.2008 in her Aadhar Card and Birth Certificate issued by Department of Planning and Development, Gram Panchayat, Kanker, which is the age of a minor on the date of alleged occurrence. The victim Soni Kumari was aged about 17 years 06 months and 12 days, on the date of occurrence, which shows that she is a minor and under the guardianship of her parents. The accused-petitioner also bears prior criminal history which is also mentioned in the FIR and bail petition itself. The materials available on the judicial record reflects that this is the case of kidnapping and the facts also shows that the petitioner had married a minor girl and the investigation of this case is still pending.

So, Considering the facts and circumstances of this case and serious nature of allegations of kidnapping of a minor girl as made out against the accused-petitioner, I am not inclined to enlarge the accused-petitioner namely **Viru Dubey @ Anshu Tiwary** on anticipatory bail. Therefore, this anticipatory bail petition is hereby stand **rejected**.

**Dictated and corrected by me.**

(Vishwa Vibhuti Gupta)  
District & Additional Sessions Judge-1st-cum-  
Special Judge (SC/ST, NDPS & Children Act)  
Aurangabad, Bihar  
Dated: 25.03.2026

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