

In the court of Dr. Santosh Kumar-I, VIIIth Addl. Sessions Judge, Bhojpur at Ara.
Anticipatory Bail Petition No. 700/2026
Rahul Tiwary Vs State of Bihar
(Arising out of Bahoranpur P.S. Case No. 52 of 2024)
(U/s 96, 352, 3(5) of BNS)

Rahul Tiwary, aged about 32 years,
S/o – Shiv Badan Tiwary
R/o- Badki Nainijor,
PS- Nainijor,
District – Buxar

.....**Petitioner.**

versus

State of Bihar.

.....**O.P.**

For the Petitioner:- Sri. Kalika Saran Ojha, Advocate.

For the State:- Sri Manik Kumar Singh, Addl. P.P.

ORDER

16.04.2026 Anticipatory Bail petition dated 10.03.2026 filed on behalf of the petitioner **Rahul Tiwary** who apprehend his arrest in connection with Bahoranpur P.S. Case No. 52 of 2024, pressed today.

Copy of the anticipatory bail petition supplied to the Id. Addl. P.P. on the same date.

Pressing the anticipatory bail petition Ld. Counsel for the petitioners has submitted that no bail petition has been filed or is pending on behalf of the petitioners either in this Sessions Division or before the Hon'ble High Court and the petitioner does not have any criminal antecedent. It has been submitted that the petitioners are innocent and have committed no offence and have been falsely implicated in this false and concocted case. It has been submitted that no occurrence as alleged ever took place. It has been submitted that no case as alleged in the FIR is made out against the petitioners. It has been submitted that both the parties have compromised the case and a compromise petition duly signed by the parties and identified by their respective counsels has been filed. Ld. counsel for the petitioner has sought to enlarge the petitioners on the privilege of anticipatory bail.

On the other hand Id. Addl. P.P. has opposed the anticipatory bail petition of the petitioners.

LCR has been received.

I have heard the submissions and perused the materials available on the record. It transpires that no other bail petition of any nature is pending on behalf of the petitioner either in this Sessions Division or before the Hon'ble High Court. It transpires that the instant FIR has been lodged at the instance of informant Surith Rai alleging therein that on 13.08.2024 at about 12:00PM his daughter Lovely Kumari left home but did not return till evening. It is alleged that on search it revealed that one Rahul Tiwary kidnapped his daughter on the pretext of marrying her. It is alleged that

when the informant went at the house of Rahul Tiwary his father Shiv Badan Tiwary abused him and asked him to leave. It is alleged that the informant suspect the petitioners to have hatched conspiracy alongwith accused Rahul Tiwary and kidnapped his daughter Lovely Kumari.

Perusal of the case diary shows that the informant has supported his case in his restatement at para 02 and the witnesses at para 06 and 07 have also supported the prosecution case. It appears from the statement of the victim recorded U/s 180 BNSS that on 13.08.2024 at about 01:00PM she herself went with accused Rahul Tiwary on his motorcycle and solemnized her marriage at Brahmpur Temple, Sahpur. The victim has stated that after marriage she alongwith Rahul Tiwary went to the house of Rahul's friend and thereafter went to Varanashi. The victim has stated that from Varanashi she went to Nagpur and from Nagpur she went to Odisha where she stayed for 25-26 days and thereafter came to Nainijor. The victim in her statement U/s 183 BNSS has stated that on 13.08.2024 she went to the house of Rahul Tiwary and stayed there for four months after which she went to Odisha with Rahul. The victim has stated that she has not solemnized her marriage with Rahul and Rahul kept her well. The FIR has been lodged U/s 96, 352, 3(5) BNS. Vide para 41 of the case diary it has been mentioned in the supervision report that there is requirement of insertion of Sec. 8/12 POCSO Act 61(2) of BNS against the accused Rahul Tiwari. From perusal of the LCR it transpires that as per the register of Middle School Bahoranpur Shahpur, the victim girl is minor on the date of commission of offence. On the other hand, the Ld counsel for the defence has submitted birth certificate of the victim as per which victim's date of birth has been shows as 06.09.2004 which is not reliable.

Considering the nature of offence and its gravity as well as the fact that the petitioner is the main accused, I am not inclined to enlarge the petitioner Rahul Tiwary on the privilege of anticipatory bail. Consequently, the instant anticipatory bail petition dated 10.03.2026 stands **rejected**.

Let a copy of the order alongwith LCR be transmitted to the Id. Trial Court forthwith.

Dictated
Sd/-
(Dr. Santosh Kumar-I)
Addl. Sessions Judge-VIII.
Bhojpur, Ara.
Dated:16.04.2026