

IN THE COURT OF SESSIONS JUDGE, PATNA

Anticipatory Bail Petition No.1786 of 2026.

1. Santosh Kumar

2. Ram Krishna @ Krishna Kumar Petitioners.

**Versus
The State of Bihar**

Order
No.
02 30-04-2026

ORDER

1. The **five petitioners** named above apprehend arrest in connection with **Gardanibagh P.S. Case No. 289/2026**, registered under Sections 96, 115(2), 126(2), 351(2), 352, read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
2. The prosecution case, in brief, is that the informant Anil Kumar alleged that on 04.04.2026 at about 4:00 p.m., co-accused Sunny Kumar @ Bittu enticed his daughter and took her away. Despite extensive search, she could not be traced. Subsequently, the informant went to Sunny Kumar's house, where petitioner No. 2 Krishna Kumar (father of Sunny Kumar) and petitioner No. 1 Santosh Kumar, along with other family members, allegedly assaulted and abused him while under the influence of alcohol. It is further alleged that Sunny Kumar's aunt telephoned the girl, asking her to accompany Sunny Kumar. Later, Sunny Kumar was seen alone on a Pulsar motorcycle, and upon being spotted, he fled, threatening to annihilate the informant's family and kill him. The informant also stated that Sunny Kumar had previously taken away his daughter when she was a minor.
3. Learned counsel for the petitioners submits that the only non-bailable offence invoked against them is Section 96 of the BNS, which carries a maximum punishment of ten years imprisonment. It is further argued that a bare perusal of the FIR reveals that petitioner No. 1 is the maternal uncle (mausa) and petitioner No. 2 is the father of co-accused Sunny Kumar @ Bittu. The allegation of procurement of the child is not directed against the petitioners, rather, they are accused only of assaulting the informant when he visited their house. Their implication, learned counsel contends, is solely due to their relationship with Sunny Kumar, against whom the allegation is mainly directed. Learned counsel also points out that the informant had earlier lodged Gardanibagh P.S. Case No. 556/2024 against the

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Contd.....
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petitioners, in which the police submitted a final report that was accepted by the learned ACJM-XIII, Patna, on 10.02.2026. Moreover, the victim is a major, and documents to establish this will be produced. Petitioner No. 1 has no criminal antecedent, while petitioner No. 2 has only one antecedent, namely the aforesaid Case No. 556/2024, lodged by the same informant.

4. For a better appreciation of this anticipatory bail petition, office is directed to **call for case diary** along with criminal antecedent of accused-petitioners from I.O. of the case.
5. At this stage, learned counsel for the petitioners seeks interim protection from arrest.
6. Considering the aforesaid facts and circumstances of the case; nature of allegations against the petitioners, and the submissions advanced on their behalf, ***interim protection from arrest is granted to the petitioners in connection with Gardanibagh P.S. Case No. 289/2026 until the next date of hearing.*** The petitioners are, however, directed to cooperate with the Investigating Officer and to remain available whenever required by the police.
7. Re-list this case on 18.05.2026.

(Dictated)

Sd/-

(Rupesh Deo)

Sessions Judge, Patna

Date of Order	30-04-2026
Date of Reserving Order	NA
Uploading Date	30-04-2026
Uploaded by	Amjad/-