

In the Court of Sri Santosh Kumar Tiwary
Principal District & Sessions Judge, Sheikhpura.
A.B.P. No:- 143/2026
State of Bihar vs. Vinay Kumar & Others.

1. Vinay Kumar, Aged about 25 years
S/o Manoj Roy @ Manoj Kumar
2. Manoj Roy @ Manoj Kumar, Aged about 48 years
S/o Late Kishori Roy
3. Subhadra Devi, Aged about 42 years
W/o Manoj Roy @ Manoj Kumar
4. Ram Janam Kumar, Aged about 25 years
S/o Basant Roy
5. Dhanraj Kumar, Aged about 24 years
S/o Chandradeo Roy
All R/o Village – Bahuara, P.S. – Chewara
District – Sheikhpura.....Petitioners.

Vs.

The State of BiharOpposite Party.

For the Petitioners :- Sri Sanjeev Kumar Sinha, Ld. Advocate.

For the O. P. (State) :- Sri Uday Narayan Sinha, Ld. P.P.

ORDER

19.03.2026 Anticipatory bail petition has been filed on behalf of accused petitioners Vinay Kumar, Manoj Roy @ Manoj Kumar, Subhadra Devi, Ram Janam Kumar and Dhanraj Kumar apprehending arrest in connection with Chewara P.S. Case No. 12/2026. The present case has been registered against the accused petitioners and others for committing the offence U/s. 140(3), 87, 3(5) of B.N.S. The present petitioners are also named in the FIR with the allegation that they have committed the alleged offence of kidnapping. Hence, they have moved this anticipatory bail petition U/s. 482 of B.N.S.S-2023. Trial Court record has been received.

As per written report of informant Pramod Kumar, prosecution story in brief is that his daughter Kajal Kumari had gone to Ramadhin College on 02.02.2026, at about 12:00 P.M. to collect her B.A certificate. When she did not return home, he called her mobile number, 9572613922, at about 2:00 P.M., but the phone was switched off. He became suspicious and began searching for his daughter. He came to know that Vinay Kumar had taken his daughter to Patna, so he went to Patna and searched for her, but she was nowhere to be found. Manoj Rai, Subhadra Devi, Rahul Kumar, Ramjanam Kumar, Dhanraj Kumar, and Sanjay Roy @ Lui, all conspired to kidnap his daughter and hide her. The informant suspected that all the accused might do something wrong to his daughter.

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19.03.2026 Learned Advocate for the petitioners has submitted that petitioners are innocent and have not committed any offence as alleged, rather they have been falsely implicated in this case. Earlier, the accused petitioners have not filed any bail petition before this Court or before Hon'ble High Court, Patna. The accused petitioners have no criminal antecedents. The alleged sections 140(3), 87, and 3(5) of B.N.S. are not applicable against the accused petitioners, as nobody has kidnapped or abducted Kajal Kumari to compel her marriage. Kajal Kumari is aged about 22 years; she solemnized her marriage with Petitioner No. 1 Vinay Kumar and lives together as husband and wife with the consent of her father, and she produced before the Court for statement U/s. 183 of B.N.S.S. The accused petitioners have not done any illegal act as alleged in the prosecution case. The accused petitioners are ready to obey each and every direction of this Court.

Ld. P.P. opposed the prayer for bail of accused petitioners and has submitted that accused petitioners are involved in the alleged occurrence. Investigation is still pending.

Heard the learned Advocate for the accused petitioners as well as Ld. Public Prosecutor and perused the record. From perusal of case record, it transpires that there is general and omnibus allegation against the accused petitioners. From perusal of Trial Court record, it appears that the victim girl namely Kajal Kumari has been recovered and her statement U/s. 180 B.N.S.S has been recorded by the Police, thereafter the alleged victim girl has been produced before the Ld. Trial Court by the Police and her statement U/s. 183 B.N.S.S has been recorded by the Ld. Judicial Magistrate 1st Class, Sheikhpura. From perusal of case record as well as statement of the victim U/s. 180 B.N.S.S, it transpires that victim girl was having love affairs with accused petitioner and she has voluntarily entered into marriage with accused petitioner Vinay Kumar. The victim girl has expressed complete trust in her husband, Vinay Kumar and she has not made any allegation against the accused petitioners. From perusal of Trial Court record, it appears that the victim Kajal Kumari was taken to her home by her father on 26.02.2026, on the order of Ld. Trial Court, however, on 27.02.2026, Kajal Kumari's father handed her back over to the court, stating that she was harassing him and pressurizing that she be handed over to her husband. Consequently, by order of the Ld. Trial Court Kajal Kumari was sent to her husband's home on 27.02.2026. It is pertinent to mention here that today, the victim Kajal Kumari appeared before the Court and stated that she is currently residing with her husband at her

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19.03.2026 matrimonial home and she has come to the Court directly from there. The victim girl further stated that she married the accused petitioner Vinay Kumar of her own free will, and that she was neither abducted nor instigated by anyone. The victim girl has produced her original Matriculation marksheet, issued by the Bihar School Examination Board, Patna, along with a photocopy of her Aadhaar card, which reveals that her date of birth is 09.05.2004, which clearly shows that the victim girl is major. Considering the above facts and circumstances, the present anticipatory bail petition of the accused petitioners Vinay Kumar, Manoj Roy @ Manoj Kumar, Subhadra Devi, Ram Janam Kumar and Dhanraj Kumar is hereby allowed and in the event of arrest or surrender within 15 days from today, accused petitioners Vinay Kumar, Manoj Roy @ Manoj Kumar, Subhadra Devi, Ram Janam Kumar and Dhanraj Kumar be enlarged on anticipatory bail under Section 482(2) B.N.S.S on furnishing bail bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of Ld. Trial Court, subject to the condition that—

- 1. One of the sureties shall be close relative of accused petitioners.**
- 2. Accused petitioners shall appear before the Ld. Trial Court on each and every dates till framing of the charge.**
- 3. Accused petitioners shall provide their mobile numbers and Whats App numbers in writing to the Ld. Trial Court at the time of furnishing bail bond, and shall also undertake not to change their mobile numbers until the trial is concluded without the permission of the Ld. Trial Court.**

Dictated.

Principal District & Sessions Judge
 Sheikhpura.
 19.03.2026

Date of Judgment / order	19.03.2026
Date of Reserving Judgment / order	19.03.2026
Uploading Date	24.03.2026
Uploaded by	Md. Fazal Ahmed