

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13359 of 2024**

Arising Out of PS. Case No.-47 Year-2022 Thana- CHIRAIYA District- East Champaran

Rahul Kumar S/o Jadu Sah Resident of Village- Mirpur, P.S. Chiraiya,  
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Adarsh Ranjan

For the Opposite Party/s : Mr. Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      19-03-2024      1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 363, 366, 366(A) and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant with an allegation that he kidnapped his minor daughter. It is further submitted that the date of occurrence is 30.12.2021 and the F.I.R. came to be instituted on 25.01.2022 i.e. after a delay of more than 25 days, which amply demonstrates that the informant was aware that the victim had eloped with the petitioner. It is further submitted that the victim and the petitioner were in love and they eloped and even performed their marriage in a temple. It is next submitted that the statement of the victim was recorded under section



164 Cr.P.C., wherein she disclosed her age as 19 years and desired to go with her husband i.e. the petitioner. It is next submitted that though the informant in the FIR alleges that the victim is 16 years of age but then the victim herself disclosed her age as 19 years and in medical examination also she was found in between 18-19 years. It is next submitted that the informant did not produced any valid document during the course of investigation to establish that the victim is a minor.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chiraiya P.S. Case No.47/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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