

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1407 of 2025

Arising Out of PS. Case No.-291 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Law Kush Yadav @ Lawkush Kumar Yadav

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Kumar, Adv

For the Opposite Party/s : Mr. Sharda Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 23-04-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends his arrest in connection with Udwant Nagar (Bhojpur) P.S. Case No. 291 of 2024 registered for the offences punishable under Section 365 of the Indian Penal Code.

3. The FIR has been lodged against unknown persons on account of the fact that the informant's daughter had left the house on 28.06.2024 for going to the Silai center but did not return thereafter.

4. Learned counsel for the petitioner submits that it would be evident from the FIR itself, that the FIR is against unknown and there is no eye witness to the fact that the victim had gone along with the petitioner. Moreover, the present FIR



has also been lodged after delay of 12 days. As a matter of fact, the petitioner and the victim girl were in a love relationship and she was also major. The statement of the victim girl was also recorded under section 183 of BNSS Act and perusal of the same would go to show that on the said date, she had gone along with the petitioner by train to Ahmedabad and had also performed marriage in the temple and was staying as a husband and wife. The parents of the petitioner had also come to Ahmedabad and they all came back together to her house on 06.09.2024. The victim has also stated in categorical terms that she wants to get married to the present petitioner. It appears that during the course of investigation, no medical examination of the victim girl has been done and moreover, the FIR itself, indicates that the victim girl is aged about 18 years.

5. The learned APP for the State opposes the bail application.

6. Taking into consideration the facts that on account of consensual relationship between the petitioner and the victim girl, the victim girl had taken a conscious decision to go along with the petitioner, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today



the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate Bhojpur at Ara in Udwant Nagar (Bhojpur) P.S. Case No. 291 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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