

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7992 of 2025

Arising Out of PS. Case No.-584 Year-2024 Thana- MAJHAULIA District- West Champaran

Gulshan Kumar S/O Bachcha Mahto R/O Vill.- Jaukatiya, P.S.- Majhauria,
Dist.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prabhat Kumar S/O Dinanath Baitha R/O Vill.- Jaukatiya, P.S.- Majhauria,
Dist.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raki Alam

For the Opposite Party/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-03-2025 1. Heard learned counsel for the petitioner and
learned Spl.P.P. for the State, Shri. Sadanand Paswan.

2. The petitioner apprehends his arrest in Majhauria
P.S Case No. 584 of 2024 of registered for the offences
punishable under Sections 96 and 65(1) of BNS, Sections 4 and
6 of POCSO Act and Section 3(1)(r)(w) of SC/ST Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that his sister, who is a student of class 10, had gone to
school on 26-9-2024, but did not return till evening, accordingly
a search was made, but the victim was not located, further on
29-9-2024, the informant received a video on his WhatsApp



from mobile No. 9128266870, based on which, he came to know that the victim was kidnapped by the petitioner and Sandeep with an intention to marry, accordingly at 4 p.m., he went to the house of Bachcha Mahato to inquire about the victim when he was threatened.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the victim and the petitioner were in love and they eloped. It is also submitted that the statement of the victim was recorded under Section 180 BNSS, wherein she has not supported the case of the prosecution, rather she has stated that she married the petitioner in a Durga temple at Thawe.

5. Learned Spl. PP opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of allegations as alleged in the FIR, it would manifest that the victim is a student of class 10 and is aged about 16 years. It is further submitted that no doubt from the order impugned, it manifests that the victim in her statement recorded under Section 180 BNSS has not supported the case and has stated that she married the petitioner in Durga temple at Thawe, but then the victim being a minor, the marriage is void.



6. Considering the submissions made by the learned Spl. PP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

SUMIT/-

U		T	
---	--	---	--

