

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13793 of 2025

Arising Out of PS. Case No.-531 Year-2022 Thana- JAGDISHPUR District- Bhojpur

Dhanji Kumar Son of Shivpal Chaudhary @ Shivilal Chaudhary Resident of
Village- Bampali, P.S.- Udvantnagar, District- Bhojpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipak Kumar, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-05-2025 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 offences punishable under Sections 363, 366A
and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that his minor daughter, aged about 13 years, was
enticed and kidnapped by the petitioner and Amar Kumar for the
purpose of marriage.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant. It is further submitted that the date of occurrence is
25.10.2022 and the FIR came to be instituted on 27.10.2022 i.e.
after a delay of two days without any plausible explanation. It is



next submitted that the victim came back and her statement was recorded under Section 161 Cr.P.C. wherein she has supported the case of the prosecution but then her statement was recorded under parental pressure. It is also submitted that petitioner and the victim were in love.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the allegation as alleged in the FIR, it would manifest that the victim on the date of occurrence was 13 years of age and consent of the minor has no role to play. It is further submitted that even if the statement of the victim under Section 161 Cr.P.C. was recorded under parental pressure as submitted by the learned counsel for the petitioner in that event also the same will not cut much ice for the reason that the victim was a minor and enticing a minor and taking her away with a view to perform marriage is an offence.

6. Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Jagdishpur P.S. Case No. 531 of 2022 pending in the Court of learned Additional Chief Judicial Magistrate, Bhojpur at Arah/Successor Court.



7. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

Kundan/-

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

