

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13390 of 2025

Arising Out of PS. Case No.-69 Year-2024 Thana- BANMANKHI District- Purnia

Md. Shahid Ahmad @ Shahid Ahmad @ Sahid Ahmad @ Md. Sahid S/o- Md. Safruddin @ Md. Sarfuddin Resident of Bishanpur Banmanki Near Asha Hospital, P.S- Banmanki, Dist- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amardeep Mandal S/o- Bhuwan Mandal Village- Kajhi W.No-3, Ps- Banmankhi Dist- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Amit Kumar Anand
For the Opposite Party/s :	Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 363 and 366A of the Indian Penal Code and Section 4 of the POCSO Act.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a young boy aged about 21 years and is in custody since 04.01.2025. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that his minor daughter aged about 17 years had gone to her coaching institute at 2.30 P.M. on 14.02.2024 to celebrate Saraswati Puja,



but did not return till 8.00 P.M., hence a search was made, but the victim was not found and on 17.02.2024, the informant came to know that the petitioner has kidnapped the victim with the help of his parents.

4. Learned counsel for the petitioner submits that petitioner and the victim were in love and they had eloped and they have also performed their marriage according to Muslim rituals, it is further submitted that even the informant was aware of the fact that the victim and the petitioner have eloped as there was resistance in the family with regard to the relationship. It is next submitted that though in the FIR, it is alleged that the victim is a minor, but even presuming what has been alleged is true without admitting, then she had reached the age of discretion. It is next submitted that even the statement of the victim was recorded under Section 164 of the Cr.P.C. wherein she has not alleged anything against the petitioner that he committed any inappropriate act with her. It is further submitted that charge sheet has been submitted as such petitioner will not abscond rather will cooperate in the trial to prove his innocence.

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

6. Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, is directed to be released on 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 Banmankhi P.S. Case No. 69 of 2024.

7. It is made clear that if the learned Trial Court comes to a conclusion that petitioner, after his release, is trying to delay the trial in any manner in that event, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner forthwith after recording reasons.

(Satyavrat Verma, J)

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