

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13336 of 2025

Arising Out of PS. Case No.-205 Year-2023 Thana- CHANDRAMANDI District- Jamui

1. Shiv Kumar Turi @ Shiv Turi @ Shiva Turi Son of Gopal Turi Village- Urdwari, Po and Ps- chandramandih, Dist- Jamui
2. Tipan Kumar Mirdha @ Tipan Kumar Mirgha Son of Ram Prasadhi Mirdha Village- Harkatta, ps- Kunda, Dist- Deoghar
3. Sikandar Turi son of Ghanshyam Turi village- Manikpur, Ps- jasidih, Dist- Deoghar

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Mahendra Das Son of Late Damru Das Village- Urdwari, Po and Ps- chandramandih, Dist- Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sinha

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 16-05-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Chandramandih P.S. Case No. 205 / 2023 dated 03.11.2023 registered under sections 363, 366(A) of the I.P.C. and section 8 of the POCSO Act.

3. As per the first information report on 01.11.2023 at about 6 P.M. the minor daughter of the informant went to attend nature's call near the river side but did not return. On search, the informant came to know that petitioners have kidnapped her daughter with oblique motive.



4. Learned senior counsel for the petitioners submits that petitioner no. 1 and the victim girl were having love relationship and the victim girl eloped with the petitioner no.1 on her free will. The petitioner no. 1 and the victim girl solemnized marriage in a temple and thereafter a deed of confirmation of marriage was executed between them before the notary public on 03.01.2024 in which the age of the victim girl has been shown as 22 years. He further submits that the victim girl appeared before the police and her statement under section 161 Cr.P.C. was recorded as would be evident from the impugned order also in which she has said that she was in love with petitioner no. 1 and married with him at Deoghar court with the help of petitioner nos. 2 and 3. The petitioner nos. 2 and 3 are the witnesses who have signed over the marriage document prepared at Deoghar. The victim at the time of marriage was 16 ½ years as per birth certificate of the school and was mature enough to take her own decision.

5. On the other hand, learned counsel for the informant opposed the prayer for anticipatory bail and submits that girl was minor about 13 years of age at the time of occurrence and she has been kidnapped by the petitioner no. 1 and others with bad intention.



6. Regard being had to the submission made by the parties, taking into consideration the statement of the victim girl under section 161 Cr.P.C. recorded before the police, I am inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Jamui in connection with Chandramandih P.S. Case No. 205 / 2023 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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