

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18568 of 2025

Arising Out of PS. Case No.-3 Year-2022 Thana- ROSERA District- Samastipur

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1. Nitish Kumar S/O Polay Yadav R/O Village- Dhattha, Bikrampatti, P.S- Rosera, Distt.- Samastipur.
 2. Chandr Bhushan Kumar @ Chandra Bhushan Kumar @ Chandra Bhushan Yadav S/O Ramvinod Yadav @ Ram Vinod Yadav @ Vinod Yadav R/O Village- Dhattha, Bikrampatti, P.S- Rosera, Distt.- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jagdish Mahto S/O Late Ram Chandra Mahto R/O Village- Dharha, Ward No.-02, P.S- Rosera, Distt.- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Khushi Awadh, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 15-05-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their 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 petitioners submits that petitioners are persons with clean antecedent. It is further submitted that the victim and the petitioner no. 1 were in love and the victim on her own volition eloped with the petitioner no.

1. It is next submitted that the date of occurrence is 21.12.2021 and the FIR came to be instituted on 04.01.2022 i.e. after a delay of thirteen days without any plausible explanation. It is



also submitted that the age of the victim on 23.02.2023 was assessed as twenty years as such on the date of occurrence she was about 18 years. It is further submitted that the statement of the victim was recorded under Section 164 Cr.P.C. wherein she has not supported the case of the prosecution rather has stated that she has solemnized marriage with the petitioner no. 1 and out of the wedlock a child was born.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Rosera P.S. Case No. 03 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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