

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18699 of 2025

Arising Out of PS. Case No.-325 Year-2022 Thana- HARSIDHI District- East Champaran

Krishna Kumar S/O Vishwanath Ram R/O Vill.- Danahi, Ward no. 1, P.S.-
Harsidhi, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Umesh Singh S/O Pitamber Singh R/O Vill.- Gayghat, Ward no. 10, P.S.-
Harsidhi, Dist.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar
		Mr. Hemant Ray
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 15-05-2025 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 and
366(A) of the Indian Penal Code read with Sections 8, 10 and
12 of the POCSO Act.

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 16 years on
10.07.2022 went for coaching, when she was kidnapped by
Krishna and Manoj.

4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is next submitted that 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 married the petitioner. It is further submitted that no doubt in the order impugned, it has been recorded that as per educational records, the date of birth of the victim is 16.04.2007, but then the date of birth as recorded is not based on matriculation certificate rather the same has been obtained from a school. It is next submitted that the victim was examined by the doctors and the doctors assessed her age in between 18-19 years, as it has come at Para-42 of the case diary, though the case diary has not been called, but then the learned counsel for the petitioner has a copy of the case diary and on request of the Court, the learned APP examined the case diary and fairly submits that at Para-42 of the case diary, it is recorded that the doctors have assessed the victim in between 18-19 years. The learned counsel, thus, submits that victim was a major and was in love and thus had eloped.

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

6. Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 Harsidhi P.S. Case No. 325 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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