

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19438 of 2025**

Arising Out of PS. Case No.-81 Year-2024 Thana- MANSAHI District- Katihar

Ganesh Choudhary @ Ganesh Kumar S/o- Hardeep Parihar @ Tulsi Parihar
Village- Ekauna Ps- Mansahi Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

2 16-04-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The present Cr. Misc. Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends his arrest in connection with Mansahi P.S. Case No. 81 of 2024 lodged on 10.07.2024, for the offence punishable under Sections 96 & 3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as "BNS, 2023").

3. As per the prosecution, FIR has been lodged against 10 named accused persons including the present petitioner against whom there is an allegation that they have kidnapped the informant's daughter and sold her in Sonagachi, West Bengal for



prostitution and there is suspicion that informant's daughter may be killed.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that petitioner and the alleged victim girl (informant's daughter) are well known to each other and they have entered into marriage. Counsel submits that the victim girl has been recovered and in her statement U/s 183 of the BNSS, 2023, she has narrated that she went with the petitioner with her full consent and thereafter, both of them married with each other. Counsel submits that the victim girl (informant's daughter) was not ready for medical examination and this pleading has been made in paragraph no.11 of the bail application. Counsel further submits that petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that statement U/s 183 of the BNSS, 2023 indicates that no offence has been committed.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing



bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Judicial Magistrate 1st Class, Katihar, in connection with Mansahi P.S. Case No. 81 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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