

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18506 of 2025**

Arising Out of PS. Case No.-946 Year-2023 Thana- MADHEPURA District- Madhepura

Amresh Kumar Thakur @ Amresh Thakur Son of Suresh Thakur Resident of Village - Shishwapatti, Ward No.9, P.S. - Gwalpara, District - Madhepura, presently residing at Village - Budhi, Ward No.7, P.S. - Bharrahi, District - Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shivnarayan Yadav Son of Late Gonar Yadav Resident of Village - Durgitola, Murho, Ward No. 6, P.S. - Bharrahi O.P., District - Madhepura

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                                                         |
|--------------------------|---|---------------------------------------------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Binod Kumar Sinha, Advocate<br>Mr. Ashok Kumar, Advocate<br>Dr. (Mr.) Suresh Prasad Yadav, Advocate |
| For the Opposite Party/s | : | Mr. Rabindra Kumar, A.P.P.                                                                              |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      26-09-2025                      1. Heard learned counsel for the petitioner and Mr. Rabindra Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 363, 366A, 120B, 504 and 506 of the Indian Penal Code, Section 8 of the POCSO Act as well as Section 8 and 9 of the Child Marriage Prohibition Act.

3. Learned counsel for the petitioner submits that from perusal of the office report dated 19.09.2025, it would manifest that the same records that ordinary notice has been received by the son of the opposite party no. 2 and the registered cover notice has been received by the daughter of the opposite party no. 2.



4. Since the notices have been received by the son and daughter of the opposite party no. 2, hence, the same is deemed to be validly served.

5. 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, disappeared from the house on 23.07.2023 and later he came to know that the accused persons were involved in the occurrence and they got his minor daughter married to Bittu Kumar who was married from before.

6. Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that the date of occurrence is 23.07.2023 and the FIR came to be instituted on 13.09.2023, i.e., after a delay of more than fifty days which casts as aspersion on the case of the prosecution. It is further submitted that petitioner is not related to Bittu Kumar but then is known to him. It is next submitted that the victim and Bittu Kumar were in love and the victim eloped and thereafter married Bittu Kumar but when the first wife of Bittu Kumar started opposing the marriage, the present false case came to be instituted and that perhaps explains why the FIR was instituted after delay of fifty days of the occurrence.



It is also submitted that petitioner is in custody since 08.12.2024. It is submitted that Manish Kumar had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 30432 of 2024 and the same was allowed by an order dated 20.07.2024 by this Court.

7. Rabindra Kumar, learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

8. Considering the submissions made by the learned counsel appearing on behalf of 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 in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 946 of 2023.

**(Satyavrat Verma, J)**

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