

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21315 of 2025

Arising Out of PS. Case No.-269 Year-2024 Thana- PARASBIGHA District- Jehanabad

Yogendra Kumar @Chapta S/O Ramashish Yadav R/O Vill.- Erki Tola Mansa
Bigha, P.S- Jehanabad, Dist- Jehanabad

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Bijanti DEvi W/O Ajay Yadav R/O Vill.- Barbari Bigha Tola Naur, P.S-
Parasbigha, Dist- Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad , Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-04-2025 Heard learned counsels for the parties.

2. The petitioner apprehends arrest in a case registered
for the offences punishable under Sections 137 (2), 96, 352,
351 (2), 351 (3) and 3(5) of BNS.

3 . As per prosecution case , this petitioner, along with
other accused persons named in the F.I.R., is alleged to have
kidnapped minor daughter of informant for the purpose of
marriage .

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is innocent and has falsely
been implicated in this case . As a matter fact, there was love
affairs between daughter of informant and this petitioner. During



course of investigation , the victim was recovered and the victim in her statement recorded under Section 183 of BNSS has denied the prosecution case and has categorically stated that she left the house on her own sweet will and went Patna and solemnized marriage with this petitioner. The medical board has assessed the age of the victim as 17 years old. In this connection, learned counsel for the petitioner has placed reliance upon order of the **Division Bench of this Hon'ble Court dated 23.09.2010 in Cr.W.J.C. No. 991 of 2010 (*Sahebi Khatoon @ Sahebi Versus State of Bihar and other*)** wherein this Court has directed to treat a girl as major in case her age assessed to be between 16 to 17 years.

5 . Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, statement of the victim recorded under Section 183 of BNS and circumstances of the case , the prayer for grant of anticipatory bail to the petitioner is allowed. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned
Judicial Magistrate 1st Class Jehanabad in connection with
Parasbigha P.S. Case No. 269 of 2024 , subject to condition as
laid down under Section 482 (2) of the Bharatiya Nagarik
Suraksha Sanhita (BNSS) , 2023 .

(Prabhat Kumar Singh, J)

Koushik/-

U		T	
---	--	---	--

