

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19220 of 2025

Arising Out of PS. Case No.-971 Year-2024 Thana- BARH District- Patna

Chandan Kumar S/o Vidyanand Mahto @ Vidyanandan Mahto Resident of
Village- Tira, P.S.- Harnaut, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 01-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Barh
P.S. Case No. 971 of 2024 instituted for the offence under
Sections 140(2) & 96 of the Bharatiya Nyaya Sanhita, 2023.

3. As per prosecution case, the informant reported
that on 24.12.2024 around 3:30 PM, his 17-year-old daughter
Priti Kumari was taken away by Chandan Kumar (petitioner).
Later, he received abusive and threatening calls from two
numbers, including one from which his daughter briefly
contacted him.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 11-01-2025. Petitioner



bears no criminal antecedent/s, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that there is delay of three days in lodging the FIR. As per statement of the victim recorded under Section 183 of the BNSS, 2023, there is no allegation against the petitioner and she herself stated that she got married with the petitioner in a temple. It is submitted that as per medical report, the age of the victim is 17-18 years.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is mainly contended that petitioner is already married and has two children and despite that he performed marriage with a minor girl. Police after completion of investigation has submitted chargesheet in this case under Section 96 of the BNS and Section 9 of the Prohibition of Child Marriage Act, 2006.

7. Considering the aforesaid facts and circumstances of the case and taking into account the fact that petitioner has performed marriage with a minor girl, despite being married and since police has submitted charge sheet in this case under Section 96 of the BNS and Section 9 of the Prohibition of Child



Marriage Act, 2006, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is, accordingly, *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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