

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21868 of 2025

Arising Out of PS. Case No.-1226 Year-2024 Thana- MADHEPURA District- Madhepura

Raushan Kumar S/O Mahadev Pandit R/O Village- Itahari, Ward No. 02, P.S-
Ghailadh (O.P.), Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Madhepura Ghailadh (O.P.) P.S. Case No. 1226 of 2024 registered on 20.10.2024 for the offences under Sections 137, 96 and 3(5) of the B.N.S.

3. As per prosecution case, petitioner and other co-accused persons kidnapped the minor daughter of the informant while she had sleeping in her house.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. True fact of the case is that the petitioner and the daughter of the informant were in love and wanted to get married but the petitioner is of different caste, the family members of the informant were not ready for the same



and therefore, the victim girl eloped with the petitioner and solemnized marriage with him and went to Ludhiana with the petitioner. Learned counsel further submits that statement of the victim girl was recorded under Section 183 of BNSS wherein she has stated the real facts and showed her willingness to go with her husband, the petitioner herein. She has also stated that as her parents forcibly brought her mother-in-law from her house, the petitioner and the victim girl were forced to return and thereafter the petitioner was apprehended. Learned Judicial Magistrate assessed the age of the victim girl to be 17 years. Learned counsel further submits that falsity of allegation is also apparent from the FIR as the FIR was lodged after two days without any explanation. Petitioner is a boy just above the age of 18 years and he is in custody since 18.11.2024 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the voluntary nature of act of the daughter of the informant and further considering the age of the petitioner along with his clean



antecedent, period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura/concerned court in connection with Madhepura Ghailadhh (O.P.) P.S. Case No. 1226 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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