

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24936 of 2025

Arising Out of PS. Case No.-205 Year-2023 Thana- KAHALGAON District- Bhagalpur

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RUPESH KUMAR S/O CHANDAN SINGH R/O VILLAGE-MAHUA, P.S-
DHANKUND, DISTRICT-BANKA.

... .. PETITIONER/S

VERSUS

- 1. THE STATE OF BIHAR
- 2. YYY W/O ZZZ R/O NANDLALPUR (DURGA ASTHAN), P.S-
KAHALGAON, DISTT.- BHAGALPUR.

... .. OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

For OP 2 : Mr. Md. Javed Jafar Khan, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-07-2025 Heard learned counsel for the petitioner, OP 2 and
the State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 365 of the Indian Penal
Code and 8 of POCSO Act.



3 . As per the prosecution case , it is alleged that this petitioner kidnapped minor daughter of informant for the purpose of marriage .

4. Learned counsel for the petitioner submits that petitioner is not named in te F.I.R. and during course of investigation the name of petitioner was surfaced. The victim in her statement recorded under Section 164 Cr. P C has denied the factum of kidnapping and she has categorically stated that she was in love with this petitioner and left her parental house on her own will and has solemnized marriage with this petitioner. It is further submitted that family members of both the parties have accepted their marriage .

5 . Learned counsel for the State as well as learned counsel for the opposite party No. 2 do not dispute the contention made on behalf of petitioner.

6. Considering the statement of the victim recorded under Section 164 Cr. P C and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, 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 the learned Court of Exclusive special Court (POCSO Act) - cum -



7th Addl. District & sessions Judge Bhagalpur in connection with Kahalgaon P.S. case No. 205 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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