

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28094 of 2025

Arising Out of PS. Case No.-302 Year-2024 Thana- GURUA District- Gaya

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Vishal Kumar Chandranshi @ Vishal Kumar @ Vishal Kumar Chandrabanshi
@ Vishal Kumar Chandravanshi, aged about 22 years, son of Ambika
Chandravanshi @ Ambika Ram Resident of Village - Pavra, PS- Guraru, Dist-
Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Birendra Thakur Son of Late Munarika Thakur, Resident of village- Simara,
PO and PS- Guraru, Dist- Gaya (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-05-2025 Heard Mr. Shailesh Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Sanjay Kumar

Tiwary, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Gurua P.S. Case No. 302/2024 registered for the offence(s)
punishable under Section 96 of the BNS and Section 8 of
POCSO Act.

3. As per the allegation made in the FIR, father of the
victim girl has alleged that petitioner with an intention to marry
with his minor daughter had kidnapped her.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent. Daughter of the



informant willingly accompanied with the petitioner and both of them have married, though as per the FIR, the victim is minor. Petitioner has clean antecedent, aged about 22 years.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the fact that victim has not alleged anything against the petitioner in her statement recorded under Section 183 of BNS, I find that they were in relationship and also entered into matrimonial relationship and are living together. Without going into the question of determination of age of the victim, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail. Question of custody can be raised before the appropriate forum if the victim is minor.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VII, Gaya / Concerned Court in connection with Gurua P.S. Case No.



302/2024, subject to the conditions as laid down under Section
482(2) of the BNSS.

(Purnendu Singh, J)

Sanjay/-

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