

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28817 of 2025

Arising Out of PS. Case No.-197 Year-2024 Thana- SIDHWALIYA District- Gopalganj

Ramashankar Rai @ Badri Yadav @ Ramashankar Yadav S/o- Parashuram
Rai Village-Kabirpur P.s-Mohammadpur District-Gopalganj, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Sidhwaliya P.S. Case No. 197 of 2024 registered for the offences punishable under Sections 363, 366 and 34 of the Indian Penal Code.

3. The allegation, as per F.I.R., against the petitioner is to kidnap the daughter of the informant aged about 20 years to forced her for illicit relationship/marriage with another person.

4. Learned counsel appearing on behalf of the petitioner submitted that admittedly daughter of the informant was major i.e. 20 years at the time of occurrence.



It is submitted that daughter of the informant was in love affairs with the petitioner and, therefore, she out of her own sweet-will solemnized marriage with the petitioner, which was duly registered in view of section 13 (4th schedule) of the Special Marriage Act, 1954. Learned counsel pointed out that after four months of the aforesaid occurrence, the present case was lodged on 16.07.2024 only for the reason that informant being father has not approved the marriage of his daughter with the petitioner. It is submitted that petitioner claims to be a man of clean antecedent.

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

6. In view of the aforesaid factual submissions and by taking note of the fact as being major, the daughter of informant solemnized marriage with the petitioner out of her own sweet-will which appears supported *prima-facie* with marriage certificate issued under section 13 of the Special Marriage Act, 1954, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on



furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Sidhwaliya P.S. Case No. 197 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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