

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28587 of 2025

Arising Out of PS. Case No.-929 Year-2023 Thana- BODHGAYA District- Gaya

Monu Kumar @ Shailesh Kumar son of Rajesh Kumar @ Raja Babu Village-
Kujapi PS -Chandauti District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-07-2025 Heard learned counsels for the parties.

2. The petitioner apprehends arrest in a case registered for the offences punishable under Sections 363 and 366 (A) of IPC .

3 . As per prosecution case , this petitioner, along with other accused persons named in the F.I.R., is alleged to have kidnapped minor daughter of informant for the purpose of marriage .

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case . As a matter fact, there was love affairs between daughter of informant and this petitioner. During course of investigation , the victim was recovered and the victim in her statement recorded under Section 164 Cr. P C has denied



the prosecution case and has categorically stated that she left the house on her own sweet will and went to this petitioner and no one has kidnapped her. The medical board has assessed the age of the victim as 17 years old. In this connection, learned counsel for the petitioner has placed reliance upon order of the **Division Bench of this Hon'ble Court dated 23.09.2010 in Cr.W.J.C. No. 991 of 2010 (*Sahebi Khatoon @ Sahebi Versus State of Bihar and other*)** wherein this Court has directed to treat a girl as major in case her age assessed to be between 16 to 17 years. Petitioner claims clean antecedent.

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

6. Considering the aforesaid facts, statement of the victim recorded under Section 164 Cr. P C , clean antecedent of this petitioner and circumstances of the case , the prayer for grant of anticipatory bail to the petitioner is allowed. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned Chief Judicial Magistrate Gaya in



connection with Bodhgaya P.S. Case No. 929 of 2023 ,
subject to condition as laid down under Section 482 (2) of the
Bharatiya Nagarik Suraksha Sanhita (BNSS) , 2023 .

(Prabhat Kumar Singh, J)

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