

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34425 of 2025

Arising Out of PS. Case No.-1005 Year-2024 Thana- JAHANABAD District- Jehanabad

Raja Kumar S/o Ajay Das R/o Vill - Tilangiyachak (Chilangiyachak), P.S -
Jehanabad (Kalpa), Dist - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

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

2. The petitioner is apprehending his arrest in connection with Jehanabad Town P.S. Case No. 1005 of 2024 registered for the offences punishable under Sections 140(2), 352, 3(5) of Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, petitioner is said to have kidnapped the informant's daughter

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that petitioner is a student. He further submits that two years ago, petitioner resided in the house of the informant. He further submits that after lodging FIR against the



petitioner, the uncle of the petitioner brought the victim at Kalpa Police Station on 19.12.2024 and on the next date i.e. 20.12.2024, victim was produced before the learned trial court for recording of her statement under Section 183 of BNSS. He further submits that medical examination of victim has not been conducted. He further submits that petitioner has done nothing in order to take away the victim from the house of her parents rather victim herself called the petitioner to accompany her for going to Patna, as mentioned in paragraph 8 of the bail petition. He further submits that victim had gone to Patna without informing her parents as victim's parents had scolded her for not studying properly, as mentioned in paragraph 12 of bail petition. He further submits that after lodging the FIR, the victim proceeded the Kalpa Thana, as mentioned in paragraph 12 of the case diary. Learned counsel for the petitioner submits that no averments have been made by the victim against the petitioner in her statement recorded under Section 183 of BNSS. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that though the victim has been recovered but petitioner cannot escape from the liability of the Act which is alleged in the FIR



as the victim is minor. Hence, petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, victim has stated in her statement recorded under Section 183 of BNSS that no wrong act has been committed by the petitioner against her, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jehanabad in connection with Jehanabad Town P.S. Case No. 1005 of 2024, subject to the conditions as laid down under Section 482 (2) of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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