

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32201 of 2025

Arising Out of PS. Case No.-273 Year-2024 Thana- KISHANPUR District- Supaul

Mahesh Kumar @ Chandan Singh S/o Sri Sanjeev Kumar, R/o Village-
Mahipatti, P.S.- Kishunpur, Dist.- Supaul.

... .. Petitioner

Versus

1. The State of Bihar.
2. Ajay Chaudhary S/o Shyam Sundar Chaudhary, R/o ward no. 13, Tharbitta,
P.S.- Kishunpur, Dist.- Supaul.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Kishunpur P.S. Case No. 273 of 2024, registered for the offence punishable under Section 96 of the B.N.S., 2023.

3. As per prosecution case, the minor daughter of the informant went outside the house for attending the call of nature and thereafter did not return and went missing. The informant showed her suspicion that the petitioner who had been loitering around her house might be involved in kidnapping his daughter.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has been falsely implicated in this case. The victim girl returned and her statement was recorded under Sections 180 and 183 of the BNSS, wherein she has stated that she left her house on her own and eloped with the petitioner and solemnized marriage with him. She also stated that no wrongful act was committed with her. The victim girl was examined by the Medical Board and her age was assessed to be 18 - 20 years. The victim girl also stated that she was in love with the petitioner and she wanted to marry him, but her parents were not agreeable to this proposition. Thus, it is evident that the petitioner has not kidnapped or enticed away the daughter of the informant. Petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner and submits that petitioner was minor and her age was around 14 - 15 years as it appears from her admit card issued by the Bihar School Examination Board and consent of minor is immaterial.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the statement of the victim girl who appears to have attained sufficient maturity as reflected from her assessed age and also considering the clean antecedent of this petitioner and



probability of false accusation, let the petitioner above-named, in the event of his arrest or surrender before the Court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul, in connection with **Kishunpur P.S. Case No. 273 of 2024**, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned trial Court.

(Arun Kumar Jha, J)

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