

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33242 of 2025**

Arising Out of PS. Case No.-648 Year-2024 Thana- MADHEPURA District- Madhepura

Vibhash Kumar @ Bibhash Kumar @ Babli Yadav, Son of Upendra Yadav,  
resident of village- Sakarpura, Ward no. 02, Old PS- Madhepura, present PS-  
Bharrahi, District- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prince Kumar, Son of Anmol Paswan, resident of village- Sakarpura, Ward  
no. 2, P.S- Bharrahi, Dist-Mmadhepura

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Amarnath Jha, Advocate  
For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

3      14-08-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

02. In the present case, the petitioner seeks bail in  
connection with Madhepura (Bharrahi OP) P.S. Case No. 648 of  
2024, registered for the alleged offence under Sections 363 and  
366(A)/34 of the Indian Penal Code.

03. As per prosecution case, the minor sister of the  
informant was kidnapped at gunpoint by the petitioner and other  
co-accused persons.

04. Learned counsel for the petitioner submits that the  
petitioner is innocent and has been falsely implicated in this  
case. No occurrence as alleged has ever taken place. The victim  
girl was recovered and her statement under Section 164 Cr.P.C.



was recorded wherein she stated that the petitioner is her classmate and she knows her for last three years. The victim girl further stated that she is in love with the petitioner and as her family members did not like it, she voluntarily left her house on 11.06.2024 and went away with the petitioner and solemnized marriage with him in Singheshwar Temple. Coming to know that her family members have lodged a case, they returned. The victim girl further stated that she wanted to stay with the petitioner. The learned counsel further submits that the police has submitted a closure report after investigation, but the same has neither been accepted nor rejected by the learned trial court till date. The learned counsel further submits that the victim girl stated her age to be 19 years and the medical examination of the victim girl shows her age to be 20-22 years. Therefore, the victim girl is not a minor and she being a major lady voluntarily left her house and solemnized marriage with the petitioner. There is no further allegation against the petitioner. The petitioner is in custody since 07.10.2024 and is having clean antecedent.

05. Learned APP vehemently opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the



doubtful nature of allegation against the petitioner, consensual nature of act of the victim girl, the period of custody of the petitioner and submission of closure report along with his clean antecedent, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Madhepura (Bharrahi OP) P.S. Case No. 648 of 2024, subject to the conditions mentioned in Section 480 (3) of BNSS and also the 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.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

V.K.Pandey/-

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