

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33907 of 2025**

Arising Out of PS. Case No.-93 Year-2024 Thana- JIRADEI District- Siwan

Nilesh Kumar @ Nilesh Kumar Gond S/O Bharat Gond R/O Village-  
Banduhata, PS- Jiradei, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                 |
|----------------------|---|---------------------------------|
| For the Petitioner/s | : | Mr. Ajay Kumar Pandey, Advocate |
|                      | : | Mrs. Shyama Rani, Advocate      |
| For the State        | : | Mr. Shyam Bihari Singh, APP     |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      21-05-2025                      Heard the parties.

2. The petitioner is apprehending his arrest in connection with Jiradei P.S. Case No. 93 of 2024 for the offence under Sections 363, 366(A) and 34 of the Indian Penal Code, lodged on 28.06.2024 by the informant, Kapil Dev Sah.

3. As per the prosecution story, the informant alleged that her daughter was missing and came to know that the petitioner has taken away for the purpose of marriage. This led to the F.I.R.

4. Learned counsel for the petitioner submits that the girl moved on her own, the petitioner has no role to play in the matter, she wanted to marry him, they got married, now F.I.R. is there against him. She has taken this Court to the learned



Sessions Judge order to show that the girl subsequently appeared and made statement under section 164 Cr.P.C. informing that she moved out of her house on her own and got married to the petitioner.

5. Learned APP opposes the prayer submitting that the order sheet also shows that she is a minor.

6. Considering the submissions of the parties, the fact remains that the girl is minor as per the certificate, however, she has made a statement that she moved out of her house on her own, F.I.R. is there, the petitioner shall be facing the music, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, Siwan, in connection with Jiradei P.S. Case No. 93 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

**(Rajiv Roy, J)**

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