

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39049 of 2025

Arising Out of PS. Case No.-13 Year-2024 Thana- LADANIA District- Madhubani

Jay Krishna Kumar Ray @ Krishna Ray, S/O Bharat Ray, Resident of village-
Thadhi, P.S.- Ladaniya, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 15-10-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Ladaniya P.S. Case No. 13 of 2024, registered for the
offences punishable under Sections 363, 366-A, 341, 323, 379,
504, 506 and 34 of the Indian Penal Code.

3. The allegation against the petitioner is of enticing
away the daughter of the informant alongwith others for the
purpose of marriage. When the petitioner came to know about
the incidence, he alongwith other family members went to the
house of the petitioner, they have also abused and assaulted the
petitioner and others besides giving threatening to them.

4. Learned Advocate appearing on behalf of the



petitioner submitted that in fact, the petitioner and the victim girl were in love and on account of the aforesaid reason, the victim girl has left her home and came to the house of the petitioner and solemnized the marriage. Soon before the occurrence, the victim was recovered and her statement has been recorded under Section 164 of the Code of Criminal Procedure, wherein, she has not supported the allegation of kidnapping, rather she has stated the entire incidence and also submitted that since the petitioner is a handicapped person, therefore, her family members did not get ready to solemnize the marriage with the petitioner. There is no allegation that the petitioner has made any physical relationship with the victim. The petitioner is only aged about 22 years and a handicapped person, besides having fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that from the educational certificate it appears that the petitioner is a minor and, as such, her consent does not have force in the eyes of law.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the statement of the victim recorded under Section 164 of the



Code of Criminal Procedure, wherein she has not made any allegation against the petitioner, besides lack of materials constituting an offence under Section 363, 366A of the Indian Penal Code coupled with the fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Madhubani in connection with Ladaniya P.S. Case No. 13 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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