

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51835 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- JOGAPATTI District- West Champaran

Arun Kumar @ Arun Kumar Yadav S/o Saheb Yadav R/o Village- Chaumukh,
P.S.- Yogapatti, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
 2. X W/o Harendra Mukhiya (Imaginary Name of informant/mother of the victim), R/o Village- Bhatwaliya, P.S.- Yogapatti, District- West Champaran
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-08-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 363, 366A and 34 of the Indian Penal Code as well as Sections 8 and 12 of the POCSO Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 18.06.2024, at about 10:00 p.m., his minor daughters, aged about 14 and 16 years, went to ease themselves when the petitioner came and took them away for the purpose of prostitution.

4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is further submitted that the victim has come back and the statement of the elder daughter of the informant was recorded under Section 161 Cr.P.C. wherein she has not supported the case of the prosecution rather has stated that her parents got her married with one Shankar Kumar who was a drunkard and used to assault her, as such, she was not happy in her conjugal relationship and thus came in contact with the petitioner and fell in love and on her own sweet will she accompanied the petitioner. Further, that petitioner was not willing to take her younger sister along with himself but since the victim insisted, as such, she also accompanied. Further, that petitioner got married with the elder daughter of the informant. Learned counsel thus submits that parents of the victim got the elder daughter married to one Shankar Kumar when she was a minor, as such, they committed an offence. It is also submitted that the parents were contemplating to marry the younger daughter also to an aged person, as such, both the daughters left on their own sweet will, as such, it is submitted that allegation that the victims were kidnapped for the purpose of prostitution stands belied in view of the statement of one of the victims recorded under Section 161 Cr.P.C.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let 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 bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Yogapatti P.S. Case No. 215 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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