

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61854 of 2024

Arising Out of PS. Case No.-41 Year-2024 Thana- UDAKISHUNGANJ District- Madhepura

Ramchandra Paswan Son of Bindeshwari Paswan R/o- Lashkari W.No-5, Ps-
Udakishunganj Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma, Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Udakishunganj P.S. Case No. 41 of 2024, registered for the offences punishable under Sections 366A, and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that her minor daughter aged about 17 years was kidnapped by unknown accused persons on 04.02.2024 with an intention to perform marriage. The learned Counsel for the petitioner submits that the petitioner and the victim were in love so that they eloped. It is also submitted that the age of the victim was assessed by the doctor in-between 17 to 19 years and her

statement was also recorded under Section 164 of the Cr.P.C., wherein she has stated that this petitioner forcefully took her on his motorcycle to Saharsa Railway Station for getting her married and made her sit in a different bogie of a train and the petitioner himself sat in a different bogie. Further, Amit with the victim were de-boarded at Rajasthan, where she came to know that the accused person will get her married and will earn money, but she refused to marry and after roaming in Rajasthan came back with the accused person, who left her at Banmankhi Railway Station, where she was apprehended by the police. Further, the accused did not commit any wrongful act with her.

4. Learned counsel for the petitioner submits that perusal of the statement of the victim recorded under Section 164 of Cr.P.C., it would manifest that the same was recorded under parental pressure and the victim herself had stated that she was sitting alone in the bogie of the train, but still she did not raise any alarm which amply demonstrates that she had accompanied the petitioner on her own will being a major. It is next submitted that even the victim does not alleged that the accused persons including the petitioner committed any wrongful act with her

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, the petitioner above-named, in the event of his arrest or surrender before the learned Court below 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 court below where the case is pending/successor court in connection with Udakishunganj P.S. Case No. 41 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J.)

Jyoti Kumari/-

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