

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66696 of 2025

Arising Out of PS. Case No.-292 Year-2023 Thana- RAJAPAKAR District- Vaishali

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Anish Kumar Son of Late Virchandra Pandit Resident of Village - Suratpur Vidma, P.S.- Mahua, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruchi Kumari Wife of Anish Kumar Resident of Village - Suratpur Vidma, P.S.- Mahua, District - Vaishali.
3. Guddi Devi Wife of Gopal Singh R/o village - Chaksaid, P.S.- Rajapakar, District - Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Adv.
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-10-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State, Mr. Chandra Bhushan Prasad.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 366(A) and 363/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent. It is next submitted that petitioner was in a relationship with the victim and they eloped, but a false complaint case came to be instituted by the mother of the victim based on which the instant FIR came to be instituted.



4. Learned counsel for the petitioner next submits that though in the FIR it is alleged that victim on the date of occurrence was aged 17 years, but then she was a major. It is also submitted that even presuming what has been alleged to be true without admitting, in that event also the victim had reached the age of discretion. It is next submitted that victim has filed an affidavit wherein she has disclosed her date of birth as 18.05.2006 and has stated that she has married the petitioner in a temple. It is also submitted that statement of the victim was recorded under Section 164 Cr.P.C. wherein also she has not supported the case of the prosecution and out of the wedlock, a child was born who presently is aged about three months. It is also submitted that no process under Sections 82 and 83 Cr.P.C. till date has been issued. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

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 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 Rajapakar P.S. Case No. 292 of 2023 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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