

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69996 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- GORADIH District- Bhagalpur

Ritesh Kumar Son of Ashok Singh Resident of village - Rai Pokhar, Nandlal Patti, P.S.- Amarpur, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mrs. Asha Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered for the offences punishable under Sections 87, 96 of the Bharatiya Nyaya Sanhita.

3. As per prosecution case, this petitioner kidnapped minor daughter of informant for the purpose of marriage.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. The victim in her statement recorded under Section 183 of the BNSS has denied the prosecution case and has categorically stated that she has solemnized marriage with the petitioner and both of them are living together as husband and wife. The court below assessed



the age of victim to be 17 years and 4 months. In this connection, learned counsel for the petitioner has placed reliance upon order of the Division Bench of this Hon'ble Court dated 23.09.2010 in **Cr.W.J.C. No. 991 of 2010 (*Sahebi Khatoon @ Sahebi Versus State of Bihar and other*)** wherein this Court has directed to treat a girl as major in case her age assessed to be between 16 to 17 years. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, statement of the victim recorded under Section 1833 BNSS and clean antecedent of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Bhagalpur in connection with Goradih P.S. Case No. 104 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya



Nagarik Suraksha Sanhita.

(Prabhat Kumar Singh, J)

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