

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73114 of 2024

Arising Out of PS. Case No.-444 Year-2024 Thana- JAMUI District- Jamui

Dayanand Yadav S/o- Naresh Yadav Resident of Village- Kenduatari, P.S.-
Charkapathar, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Brajendra Nath Pandey
Mr. Pramod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-03-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the informant.

2. The petitioner apprehends his arrest in connection
with Jamui PS Case No. 444 of 2024 registered for the offences
punishable under Sections 96, 351(2)(3), 329(4) and 3(5) of the
BNS.

3. The learned counsel appearing on behalf of the
informant, at the outset, submits that from perusal of the order
impugned, it would manifest that the statement of the victim
was recorded both under Sections 180 and 183 BNSS and from
perusal of the statement of the victim recorded under Section
180 BNSS, it appears that she has not supported the case of
prosecution, but then her statement recorded under Sections 183
BNSS amply demonstrates that she has supported the case of the



prosecution and has stated that she was kidnapped by the petitioner against her will. Learned counsel appearing on behalf of the informant further submits that even presuming that the victim and the petitioner were in love, but then it is an admitted fact that victim on the date of occurrence, was 15 years 8 months old, as such was a minor, as such her consent had no relevance if her statement recorded under Section 180 BNSS is considered to be correct.

4. Learned counsel appearing on behalf of the petitioner is not in a position to rebut the said submission of the learned counsel appearing on behalf of the informant that the age of the victim on the date of occurrence, was 15 years 8 months and she was a minor.

5. Considering the submissions made by the learned counsel appearing on behalf of the informant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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