

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74347 of 2024

Arising Out of PS. Case No.-103 Year-2023 Thana- LAXMIPUR District- Jamui

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Rajesh Sah @ Rajesh Kumar S/o Shiv Jee Sah R/o Village- Dharwa, P.S.-
Laxmipur, Dist. - Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manisha Devi W/o Sri Narayan Sah R/o vill - Nawkadih, Gaura, P.S. -
Laxmipur, Distt.- Jamui
3. Kazal Kumari D/o Narayan Sah, W/o Rajesh Sah R/o village- Dharwa, P.S.-
Laxmipur, Distt.- Jamui

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Prabhat Ranjan Singh, Adv.
For the Opposite Party/s :	Mr. Akshay Lal Pandit, App.
For the O.P. No. 3 :	Mr. Ajay Kumar Tiwari, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 18-12-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Laxmipur Police Station Case No. 103 of 2023,
disclosing offences under Sections 366A, 504, 506, 34 of the
Indian Penal Code and Section 8 of the POCSO, Act.

3. As per the allegation made in the FIR, on
10.03.2023, in the evening, the daughter of the informant, aged
about 17 years, was kidnapped by the petitioner at gunpoint.

4. Learned counsel for the petitioner submits that
the petitioner and the victim girl was having love relationship



for several years and the marriage of the victim girl was to be solemnized by her parents with a handicapped boy. Accordingly, the daughter of the informant voluntarily went with the petitioner while her age was 17 years and 5 months. After attaining the age of maturity, the victim girl solemnized marriage with the petitioner on 07.11.2023 in a temple in presence of family members of the petitioner and other well-wishers. The statement of the victim girl was recorded under Section 164 of the Cr.P.C. in which she has stated that she has solemnized marriage with the petitioner after attaining the age of maturity.

5. On the other hand, learned counsel for the victim girl submits that it is true that the victim girl has solemnized marriage with the petitioner after attaining the age of maturity and both are living together as husband and wife.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there was adolescent love between the petitioner and the victim girl and after attaining the age of maturity, the victim has solemnized marriage with the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.



8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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 Additional District Judge-1st, Jamui, in connection with Laxmipur Police Station Case No. 103 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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