

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78306 of 2024

Arising Out of PS. Case No.-98 Year-2023 Thana- KAJRA District- Lakhisarai

Vikram Paswan @ Vikku Kumar S/o- Jagdish Paswan R/village - Arma, P.S -
Kajra, Dist. - Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Onkar Pandey S/o- Late Kailash Pandey R/village - Pokhrama, P.S - Kajra,
Dist. - Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mrigendra Kumar, Advocate Mr. Manoj Kumar, Advocate
For the Opposite Party/s	:	Mr. Md. Mushtaque Alam, APP
For the informant	:	Mr. Ram Shankar Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 09-04-2025 Heard learned counsel for the petitioner; learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Kajra P.S. Case No. 98 of 2023 dated 16.07.2023, instituted for
the offence punishable under Sections 363, 365, 506/34 of the
Indian Penal Code.

3. The prosecution case, in short, is that on
15.07.2024, the wife of informant told him that their daughter
namely, Abha Kumari is missing from home. Thereafter, the
informant searched for his daughter and he came to know that
the petitioner has taken away his daughter with help of his
brother and when the informant and his wife went to the house



of the petitioner then the parents of petitioner refused to hand over the their daughter to them.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the victim herself appeared before the concerned police station and thereafter her statement was recorded under Section 164 Cr.P.C. before the learned Magistrate in which she clearly stated that she went on her own will. She further stated that her father forcefully wanted to marry her to a handicapped person and assaulted her due to which she ran away from house and married with the petitioner. In the statement recorded under Section 164 Cr.P.C., she stated her age to be 19 years but as per the certificate disclosing the date of birth of victim as 01.01.2009, she is about 16 years old and minor at the time of occurrence. It is also submitted that there is no allegation of any misbehave against the wish of victim. As per the medical report, there is no sign of rape. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. and learned counsel for the informant vehemently opposed the prayer for bail of the petitioner and submitted that victim is a minor girl and



petitioner has kidnapped her and committed wrong act.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Kajra P.S. Case No. 98 of 2023, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Lakhisarai, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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