

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80248 of 2024

Arising Out of PS. Case No.-92 Year-2024 Thana- SHYAMPUR BHATHAN District-
Sheohar

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Raushan Kumar S/O Birendra Kumar R/O Nayagaon, Ward No. 4, P.S-
Shyampur Bhathan, Sheohar, Distt.- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Anand Kishore Choudhary, Advocate
For the State	:	Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-01-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 137(2), 87 and 3(5) of the B.N.S..

3. As per prosecution case, this petitioner, along with other accused persons named in the F.I.R., is alleged to have 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 164 of the Cr.P.C. has denied the



prosecution case and has categorically stated that no one has kidnapped her. The victim has stated her age as 17 years old. 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 antecedents.

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 164 of the Cr.P.C. and clean antecedents 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 A.C.J.M. III, Sheohar, in connection with Shyampur Bhatahan P.S. Case No. 92 of 2024,



subject to condition as laid down under Section 482 of the
B.N.S.S..

(Prabhat Kumar Singh, J)

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