

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82948 of 2024**

Arising Out of PS. Case No.-144 Year-2024 Thana- PANAPUR District- Saran

Vikash Kumar S/o- Sitaram Prasad Resident of Totaha, Jagatpur P.s- Panapur,  
Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                    |   |                                  |
|--------------------|---|----------------------------------|
| For the Petitioner | : | Mr. Pramod Kumar Singh, Advocate |
| For the Informant  | : | Mr. Hemant Kumar, Advocate       |
| For the State      | : | Mr. Yogendra Kumar, APP          |

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

4      18-06-2025                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned A.P.P. for the State.

2.      The petitioner apprehends his arrest in a case registered  
for the offences punishable under Sections 366A, 376, 504 and  
506/34 of the Indian Penal Code.

3.      The prosecution story, as disclosed in the first information  
report, is that while the daughter of the informant was regress-  
ing from the coaching institute is said to have been kidnapped  
by the petitioner with the intention to marry and she was taken  
away to his relative's house, although her marriage was settled  
and fixed for 18.04.2024.

4.      It is submitted by learned counsel for the petitioner that  
the allegation of kidnapping is not correct. As a matter of fact,



the petitioner and the informant's daughter were in relationship with each other and she had gone along with the petitioner out of her sweet will. It is further submitted that the first information report has been instituted after an abnormal delay of about one month for which no explanation has been tendered by the informant. After recovery of the victim girl, her statement was recorded under Section 164 Cr.P.C. and a perusal of the same would show that the victim girl is aged about 20 years and the learned Court below has also assessed her age to be the same. She has clearly stated in her statement that she was known to the petitioner and was in relationship with him for past one year and she had gone along with him to his relative's house. Although an allegation of establishing physical relationship has also been levelled against the petitioner in the said statement of the girl but taking into account the fact that the girl is major one and she had gone along with the petitioner voluntarily, physical relationship appears to be consensual based upon a conscious and informed choice.

5. Learned counsel for the informant vehemently opposes the grant of anticipatory bail.

6. Having regard to the facts and circumstances of the case and considering the statement of the victim as also her age, let



the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Panapur P.S. Case No.144 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Soni Shrivastava, J)

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