

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80533 of 2025

Arising Out of PS. Case No.-83 Year-2024 Thana- DHORAIYA District- Banka

Nipesh Kumar S/o- Bando Kapri @ Yadunandan Kapari @ Jadunandan Kapri
R/v- Kushmaha Ps- Dhoraiya Dist- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. XX S/o- YY R/v- Dumarjor Ps- Dhoraiya Dist- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-12-2025 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363 and 366A of the Indian Penal Code read with Sections 8 and 12 of the POCSO Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a young boy aged about 23 years and the informant alleges that his minor daughter aged about 16 years fled with the petitioner with an intent to marry.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that victim on her own fled with the petitioner with an intent to marry. It is also submitted that victim came back and her statement was



recorded under Section 164 Cr.P.C. wherein she has not supported the case of the prosecution. It is fairly submitted that victim is aged about 16 years, on which the learned APP submits that it is a fit case for regular bail.

5. At this stage, the learned counsel appearing on behalf of the petitioner seeks permission to withdraw the anticipatory bail application with liberty to the petitioner to surrender and seek regular bail.

6. Permission is accorded.

7. It is made clear that if the petitioner surrenders on or before 23.12.2025 in that event the learned Trial Court shall consider and dispose of the case of the petitioner on the same day keeping in mind the fact that victim has not supported the case of the prosecution and informant has alleged that victim on her own fled.

8. Accordingly, the present anticipatory bail application is dismissed as withdrawn with the liberty aforesaid.

(Satyavrat Verma, J)

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