

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.814 of 2025**

Arising Out of PS. Case No.-69 Year-2023 Thana- NAYA RAM NAGAR District- Munger

Kumar Shanu @ Kumar Sanu S/O Chunchun Mandal R/O Village -  
Sarvodaya, Tola-Farda, P.S-Safiya Saray, O.P- Naya Ramnagar, Dist- Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gorelal Mandal S/O Late Shukar Mandal R/O Village - Sarvodaya, Tola-Farda, P.S-Safiya Saray, O.P- Naya Ramnagar, Dist- Munger

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Syed Ehteshamuddin

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      10-02-2025                      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 offence under Section 366A/34 of the Indian Penal Code.

3. As per the prosecution case, all the F.I.R. named accused persons, including this petitioner, kidnapped the grand daughter of informant for the purpose of marriage.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. As a matter of fact, the victim herself left the house to perform marriage with this petitioner, since there was love affairs between them.



He further submits that the victim girl has filed a petition before the learned Court below stating therein that she was not kidnapped by anyone, rather she is living with her husband (Petitioner) and leading her conjugal life. As per education certificate, the age of the victim is 17 years on the date of occurrence and as per Aadhar Card, the victim was aged about 19.5 years at the time of occurrence. 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 opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances as well as the law laid down by this Court and clean antecedent of petitioner, the prayer for anticipatory bail of petitioner is allowed.

7. Accordingly, in the event of arrest/surrender before the Court below 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 C.J.M., Munger in connection with Nayaram Nagar (Safiyasarai) P.S. Case No. 69 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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