

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.896 of 2025

Arising Out of PS. Case No.-256 Year-2024 Thana- DEEPNAGAR District- Nalanda

Abhijeet Kumar S/o Moti Prasad R/o Village- Meharpur, P.S.- Laheri,
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Prasad, Adv.

For the Opposite Party/s : Mr.Rajendra Singh Shastri, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Deepnagar P.S. Case No. 256 of 2024, registered for the offences under Section 96 of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the minor daughter of the informant was enticed away by the petitioner with the intention of marrying her.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The victim girl herself left her house with the petitioner and after some time she has returned to her house and therefore, allegation of kidnapping against the

petitioner is not true. The victim girl has refused to undergo medical examination and there is no allegation that she was sexually assaulted. Learned counsel further submits that in the statement of the victim girl recorded under Section 180 and Section 183 of the B.N.S.S., the victim girl has stated that she has solemnized marriage with the petitioner out of her sweet will. Learned counsel further submits that the victim girl appears to be on verge of majority and well understood the consequences of her act. Petitioner is aged about 20 years and is having clean antecedent. The petitioner is in custody since 04.08.2024 and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that the victim girl appears to aged about 17 years, an age at which a girl develops sufficient maturity and further considering the age of the petitioner, his clean antecedent and period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Nalanda at

Biharsharif/concerned court, in connection with Deepnagar P.S.
Case No. 256 of 2024, subject to the condition laid down under
Section 437(3) of the code of Criminal Procedure and other
following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Anuradha/-

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