

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4957 of 2026

Arising Out of PS. Case No.-185 Year-2024 Thana- YADOPUR District- Gopalganj

Chandan Gupta @ Chandan Kumar @ Chandan Kr. Son of Late Rajesh Gupta
Resident of village- Bagaha PS -Yadavpur Dist -Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar, Advocate Mr. Rajesh Roy, Advocate Mr. Amish kumar, Advocate
For the Opposite Party/s :		Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner who apprehends arrest in connection with Yadavpur P.S. Case No. 185 of 2024 lodged on 13.11.2024, for the offences punishable under sections 96 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the F.I.R. has been lodged against three named accused persons, including the petitioner. It is alleged in the F.I.R. that all the accused persons kidnapped the minor daughter of the informant with the intention to marry her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The antecedent of the petitioner is clean. It is further submitted that



the accusation levelled against the petitioner is omnibus and general in nature. In fact, the petitioner and the daughter of the informant are residents of the same village, and the victim voluntarily left her house of her own free will in the company of the petitioner. However, the informant has lodged the present case on a concocted and exaggerated version of facts. Learned counsel further submits that upon recovery of the victim girl, her statements under Sections 180 and 183 of the B.N.S.S, 2023 were recorded, wherein she categorically stated that she had gone with the petitioner of her own volition and that she was neither abducted by the petitioner nor by any other accused. The said statements have also been noticed and acknowledged by the learned Sessions Judge in the order rejecting the bail application.

5. Learned APP for the State opposes the prayer for bail and submits that although the victim has not levelled any allegation against the petitioner, the rejection order records that the victim was assessed to be a minor and that the consent of a minor has no legal sanctity in the eye of law.

6. Considering the statement of the victim girl recorded under Section 183 of the B.N.S.S., 2023 wherein she has not alleged anything against the petitioner, let the above



named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the learned ACJM-X, Gopalganj, in connection with the aforementioned case, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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