

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17183 of 2026

Arising Out of PS. Case No.-4 Year-2023 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Gaurav Kumar Son of Chandradev Yadav @ Chandra Dev Yadav @ Sri
Chandra Deo Yadav Resident of Village - Chakka, P.S. - Nowkothi, District -
Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] Resident of Village - Chakka, Ward no. 05,
P.S. - Nowkothi, District - Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Sadanand Paswan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 11-05-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 363, 366(A)
and 34 of the Indian Penal Code and Sections 3(2) (v-a) of the
SC/ST Act.

3. The case of the prosecution is that the petitioner has
kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Learned
counsel for the petitioner has submitted that during course of
investigation, the victim has given her statement recorded under



Section 164 of the Cr.P.C. wherein she has categorically stated that her marriage was solemnized with the petitioner in the year 2020 at Bhagalpur and that was love marriage after elopement. She was living with the petitioner. Learned counsel has further submitted that from the statement of the victim, it is quite clear that much prior to the occurrence, the victim has solemnized marriage with this petitioner and she was living with him but this fact has been concealed by the prosecution only to aggravate the nature of allegation. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 04.12.2025.

5. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer of regular bail. Learned counsel for the informant has conceded that the victim herself has solemnized marriage with the petitioner in the year 2020.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Nowkothi P.S. Case No. 04 of 2023 on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-VI cum Special Judge of POCSO Act, Begusarai.

(Ashok Kumar Pandey, J)

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