

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17214 of 2026

Arising Out of PS. Case No.-569 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Raushan Yadav @ Raushan Raj S/O Mohan Ray R/O Vill.- Yadav Nagar, P.S-
Sadar, Dist. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-04-2026 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
366(A) of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 20.05.2023, at about 07:00 p.m., his minor
daughter, aged about 15 years, left home for market but did not
return and thereafter a search was made but the victim could not
be located. Further, 3-4 days later, the informant received a
phone call on his mobile from mobile no. 7488772952 and the
person claimed to be Raushan (petitioner) and he disclosed that
the victim is with him. The informant, accordingly, went to the



house of the accused when family members of the petitioner assured that the victim would be returned within one week but then the victim did not turn-up, as such, the instant FIR was instituted.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that the date of occurrence is 20.05.2023 and the FIR came to be instituted on 11.06.2023, i.e., after a delay of more than 20 days. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant himself alleges that his daughter had gone to the market but did not return which amply demonstrates that the victim had eloped with the petitioner. It is also submitted that petitioner and the victim were in love and they eloped. It is further submitted that the victim came back and her statement was recorded under Section 164 Cr.P.C.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that no doubt, the FIR has been instituted after a delay of more than 20 days but then that in itself is not a ground for granting anticipatory bail to the petitioner. It is further submitted that from perusal of the order impugned, it would manifest that the same records that the



victim in her statement recorded under Section 164 Cr.P.C. supported the case of the prosecution which amply demonstrates that the victim supported the allegation of kidnapping. It is next submitted that even presuming that petitioner and the victim were in love and they eloped but then the victim is a minor aged about 15 years and the consent of a minor does not have the legitimacy of law.

6. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Muzaffarpur Sadar P.S. Case No. 569 of 2023 pending in the Court of learned Chief Judicial Magistrate, Muzaffarpur/Successor Court.

7. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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