

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19528 of 2026

Arising Out of PS. Case No.-12 Year-2024 Thana- ANTI District- Gaya

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Madan Kumar @ Madan Prajapati S/O Hardev Prajapati @ Malu Prajapati
R/O Mohalla- Sanda, P.S- Tekari, Distt.- Gayaji.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raju Sao S/O Late Awadh Sao R/O Village- Chabura, P.S- Aati, Distt.-
Gayaji.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh No. I, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 13-05-2026 Heard learned counsel for the petitioner and Mr.
Chandra Bhushan Prasad, 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 of the Indian Penal Code.

3. The petitioner and the informant are present in the Court, in compliance of the order dated 07.05.2026, along with the Investigating Officer of the case.

4. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that petitioner was residing with his maternal grandfather in village Chabura and did the work of labour. It is next alleged that on 31.01.2024, at 05:30 a.m., his daughter,



aged about 20 years, went missing and thereafter a search was made but the victim could not be found and villagers informed that the victim was seen accompanying the petitioner, thus, alleges that petitioner enticed his daughter for marrying.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the victim was aged about 20 years and, thus, was a major. It is next submitted that petitioner and the victim were in love and they eloped and even performed their marriage in a temple but then the marriage was not accepted by the informant as the marriage was inter-caste. It is also submitted that the victim also sworn an affidavit dated 01.02.2024 (Annexure-2 to the anticipatory bail application) stating that she has married the petitioner but after she came back her statement was recorded under Section 164 Cr.P.C. wherein she said that she was made unconscious and petitioner forcefully married her and thereafter established physical relation.

6. Learned counsel for the petitioner further submits that since the marriage was inter-caste marriage, hence, the victim under parental pressure made her statement under



Section 164 Cr.P.C. It is further submitted that the victim now has been married to another boy.

7. The informant, who is present in the Court, does not dispute the said submissions of the learned counsel appearing on behalf of the petitioner that the victim has been married to another boy.

8. On query of the Court that as to whether the informant opposes the anticipatory bail application of the petitioner, the informant submits that he is not opposing the anticipatory bail application of the petitioner.

9. Learned A.P.P. for the State, thus, submits that when the informant himself is not having any grievance with the petitioner, no useful purpose would be served by sending the petitioner to jail.

10. After hearing the learned counsel for the parties, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Aati P.S. Case No. 12 of 2024, subject to the conditions as laid down under



Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

11. The personal appearance of the petitioner, informant and the Investigating Officer of the case, who was asked to accompany the informant, is dispensed with.

(Satyavrat Verma, J)

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