

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36368 of 2026

Arising Out of PS. Case No.-96 Year-2023 Thana- GAMAHARIYA District- Madhepura

Sanjeet Kumar @ Devanand Kumar S/O Nabab sah R/O Vill.- Mathahi, Ward
no.- 06, P. S- Dist.- Madhepura

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rani Kumari W/O Vikram Prasad Yadav R/O Vill.- Loakha, P.S and Dist.-
Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma, Advocate
For the Opposite Party/s : Mr.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Heard learned counsel for the petitioner and learned
APP for the State.

3. The petitioner who apprehends arrest in connection
with Gamhariya P.S. Case No. 96/23 lodged 14.05.2023, for the
offences punishable under sections 363, 366A, 34 of the Indian
Penal Code.

4. As per the prosecution case, the present FIR has
been lodged against two named accused persons and two
unknown persons, including the present petitioner, with the
allegation of kidnapping the minor daughter of the informant.



5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further submitted that the victim girl has already been recovered and, upon her recovery, her statement under Section 164 of the Code of Criminal Procedure was recorded. Learned counsel further submits that in the rejection order itself, the statement of the victim girl recorded under Section 164 Cr.P.C. has been taken note of, wherein it is stated that she had left her house as she was being forced by her family members to marry against her wish. It is further submitted that the antecedent of the petitioner is not clean, as three other criminal cases are stated to be pending against him.

6. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner but fairly submits that in 164 Cr.P.C. statement the victim has stated that her family was forced her to marry due to the said reason she left the house as per the acknowledgment made in the ordersheet of the learned Trial Court.

7. In the facts and circumstances, 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 Special Judge POCSO Court, Madehpura, in connection with Gamhariya P.S. Case No. 96/23, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with further conditions that (i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*; and (ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(Dr. Anshuman, J)

Ashwini/Manshi

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