

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44041 of 2026

Arising Out of PS. Case No.-363 Year-2025 Thana- RAGHOPUR District- Supaul

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Durganand Kumar @ Guddu Yadav Son of Ravindra Yadav Resident of
Village - Tulsiahi, P.S.- Supaul Nadi, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-07-2026 Heard learned Advocate for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Raghopur P.S. Case No. 363 of 2025, registered for the offences punishable under Sections 137(2), 96, 351(2), 352, 3(5) of the BNS.

3. As per the prosecution case, it is alleged that the daughter of the brother-in-law of the informant had left her house to bring some articles, and when she did not return till evening, search was made, but her whereabouts could not be found. Later on the informant received a call on his mobile, and victim girl had informed him that she left her house along with the petitioner. When the informant and his family members went to the house of the petitioner, the family member of the petitioners and other co-persons abused and assaulted the



informant and others.

4. Learned Advocate for the petitioner submitted that from the FIR, it is evident that it is the victim who herself called and informed the informant that, she voluntarily left her home along with petitioner and thus requested not to institute any complaint or the FIR against anyone. It is further contended that both the victim girl and the petitioner were in love and subsequently, they solemnized marriage when they attained the age of majority. The victim was also examined by the medical board, where her age has been assessed between eighteen to twenty years. The statement of victim was also recorded under Section 183 of BNSS, wherein she has categorically stated that she voluntarily left her house because she was being scolded and beaten by her parents and thus, in such a situation, she left her house. The other co-accused persons who were falsely implicated in this case, they have extended the privilege of anticipatory bail by this Court in Cr.Misc. No. 17143 of 2026 vide order dated 24.06.2026. It is lastly contended that though the petitioner bears one criminal antecedent as has been disclosed in paragraph no. 3, but the same has also been instituted by the father of the victim girl.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the victim was a minor and she was taken away by the petitioner for



the purposes of wrongful activities and moreover, her statement has no bearing over the issue even if she has not made any allegation against the petitioner.

6. Regard being had to the submissions advanced on behalf of the parties and considering the statement of the victim recorded under Section 183 BNSS, as deliberated in the impugned order coupled with the fact that the age of the victim girl has been assessed between eighteen to twenty years, this Court is inclined to extend the privilege of anticipatory bail in favour of the petitioner; let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Birpur, Supaul in connection with Raghapur P.S. Case No. 363 of 2025 , subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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