

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43991 of 2026

Arising Out of PS. Case No.-235 Year-2024 Thana- PARBATTa District- Khagaria

Amresh Kumar Son of Rambilash Sah Resident of village - Harinmar, P.S.-
Parbatta, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Roshan Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

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 Parbatta P.S. Case No. 235 of 2024, registered for the
offences punishable under Sections 363, 366, 504, 506 & 34 of
the Indian Penal Code.

3. The allegation against the petitioner is of enticing
away the daughter of the informant for the purposes of
solemnization of marriage and thereby causing blot to the
reputation of the informant and his family.

4. Learned Advocate for the petitioner submitted that
from the FIR, it is evident that the daughter of the informant
was a major one, and in fact during the course of investigation
her statement was recorded, where she has categorically stated



that she voluntarily left her home and solemnized marriage with the petitioner. Since both the parties are major and they voluntarily and willingly solemnized the marriage, therefore, no case much less as alleged in the FIR is made out. Considering the aforesaid fact the police has not sent up the petitioner for trial, but differing with the final report, the learned Magistrate has taken cognizance of the offences alleged in the FIR. Hence, the necessity of the present application for grant of pre-arrest bail. The petitioner bears fair antecedent and serving as an Agniveer.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioner has enticed away the daughter of the informant in illegal manner.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the victim and the petitioner are major and she voluntarily left her house and solemnized marriage, besides the victim not made any allegation of using force and incitement against the petitioner, coupled with his fair antecedent, 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 1st, Khagaria in connection with Parbatta P.S. Case No. 235 of 2024, 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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