IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47283 of 2026

CNR No. BRHC010652652026

Arising Out of PS. Case No.-256 Year-2024 Thana- BANIAPUR District- Saran

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Rahul Kumar S/o Skaresh Singh @ Sanjay Kumar Singh R/o Village- Sakadi (Sargatti), P.S- Garkha, Dist- Saran at Chapra.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

5 29-10-2026 Heard Mr. Dewendra Narayan Singh, learned counsel appearing for the petitioner and learned A.P.P for the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 363, 366-A of IPC.

3. The prosecution case in brief, is that, the daughter of the informant namely Shilpi Kumari, aged about 17 years, went missing on 10.06.2024. Informant suspected that this petitioner kidnapped his daughter however, later returned the victim to her maternal home due to social pressure and threats of police action. It is further alleged that cash and gold ornaments kept for informant’s elder daughter were also missing.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. During investigation, the victim was recovered and her statement was recorded under section 183 BNSS wherein, she denied the factum of kidnapping and clearly stated that she herself out of her free will left the house, thereafter went to Patna with this petitioner and had performed marriage with him in Patna. The Court has assessed the age of the victim as 17 years. Learned counsel for the petitioner, relying on an order of the Division Bench of this Court dated 23.09.2010 in *Cr.W.J.C. No. 991 of 2010* (*Sahebi Khatoon @ Sahebi Versus State of Bihar and othe*r), submits that this Court has directed *to treat the girl as major in case her age assessed to be between 16 to 17 years*. Petitioner claims clean antecedent.

5. Considering the nature of accusation, statement of victim recorded under section 183 BNSS and clean antecedent of the petitioner, prayer for bail of this petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let this petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with

Baniyapur (Baiyanpur) P.S. Case No. 256 of 2024, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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