

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50189 of 2025

Arising Out of PS. Case No.-280 Year-2024 Thana- RAGHOPUR District- Supaul

Rajiv Kumar Gupta, S/O Harish Prasad Gupta @ Harish Chandra Gupta, R/O
Village- Nabaganj, P.S- Vaysi, Distt.- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivek Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 21-01-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Raghopur P.S. Case No. 280 of 2024 registered for the offences under Sections 137(2), 87, 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. On the fateful day, while the daughter of the informant had gone to appear in the examination, in the meanwhile, the petitioner along with other 4-5 unknown persons, abducted her and fled away on unknown vehicle.

4. Learned Advocate for the petitioner submitted that in fact the petitioner and the victim were in a good relationship and they voluntarily left the house and solemnized marriage, but on account of the pressure made by the family of the victim, the present F.I.R. came to be instituted. The statement of the victim



was also recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, wherein she has stated that she was taken to Silliguri, and by persuading her, a marriage paper was prepared, and thereafter she was kept in the house of a relative at Maldah for six days from where she made a call to her elder sister and later on she left the house and reached the Railway Station from where she was brought to her home. It is further contended that even in the statement of the victim, she has not made any allegation that the petitioner has committed any wrongful act. Moreover, the victim herself refused to undergo medical examination and categorically stated that no wrongful act has been done with her. This clearly shows that the petitioner and the victim girl knew each other and had been living in good relationship. The victim is admittedly a major girl and left her house voluntarily, but later on, because of some reason or the other on the pressure made by her family members, the present F.I.R. came to be instituted

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that specific accusation of abduction has been levelled against the petitioner and she was forcibly kept confined in the house by the petitioner.



6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023; besides the fact that she refused to undergo Medical examination and has stated that no wrongful act has been committed on her and she has also put her signature on marriage paper, though allegedly on pressure, besides the petitioner having fair antecedent, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Birpur, Supaul in connection with Raghopur P.S. Case No. 280 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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