

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75396 of 2025

Arising Out of PS. Case No.-230 Year-2025 Thana- ATRI District- Gaya

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Rahul Kumar S/O Brijnandan Prasad Resident of village- Malti, P.S.- Atri,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ravi Shankar, Advocate
For the State	:	Mr. Abhay Kumar Roy, APP
For the Informant	:	Mr. Nilanjan Chatterjee, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has preferred this application for grant of regular bail in connection with Atri P.S. Case no. 230 of 2025 registered under section 87 and 352 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the 17 year old minor daughter of the informant was kidnapped by the petitioner for the purpose of marriage. Hence the instant case.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The daughter of the informant who was a major returned and her statement was recorded



under section 183 B.N.S.S. wherein she has not supported the prosecution case. She has categorically stated therein that she called the petitioner with whom she was in love, they married and also have an issue out of the said wedlock. The petitioner is in custody since 20.6.2025 and has no criminal antecedent. Chargesheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that the petitioner is named in the FIR and there is direct allegation against him of having kidnapped the minor daughter of the informant. The victim has been described to be a minor on the basis of the age in the government documents which has come in paragraph no. 47 of the case diary. The consent of a minor has no legal value.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the statement of the victim recorded under section 183 B.N.S.S., the petitioner having remained in custody for seven months since 20.6.2025 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Atri P.S. Case no. 230 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to



the satisfaction of the learned Additional Chief Judicial
Magistrate-IV, Gaya.

(Partha Sarthy, J)

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