

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2937 of 2026

Arising Out of PS. Case No.-66 Year-2025 Thana- GAIGHAT District- Muzaffarpur

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Ajay Kumar @ Ajay Rai S/O Binod Ray @ Vinod Ray R/o Village -
Panchhagchiya, P.S.-Maithi, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar,Advocate

Mr. Utsav Kumar, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Gaighat P.S. Case no.66 of 2025 registered under sections
137(2), 96 and 3(5) of B.N.S, 2023.

3.The allegation in the F.I.R is that informant's
daughter was kidnapped by the petitioner and two other persons
for the purpose of marriage.

4. Learned counsel for the petitioner submits that the
age of the victim has itself been disclosed as 17 years and
considering her date of birth as mentioned in the bail rejection
order, she is on the verge of attaining majority. It is further
submitted that the statement of the victim was recorded under



Section 183 of the B.N.S.S., which clearly indicates that the petitioner and the victim were in a consensual love relationship. The victim voluntarily left her parental home out of her own free will and accompanied the petitioner, whereafter they went to Delhi, solemnized their marriage and started residing together as husband and wife. It is further submitted that there is no allegation of any sexual assault at the hands of the petitioner. The petitioner has no criminal antecedent and undertakes to cooperate with the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances and also considering that the victim in her statement recorded under Section 183 BNSS has stated that she eloped with the petitioner out of her own sweet will and had solemnized marriage with him and no allegation of any sexual assault upon the victim at the hands of the petitioner, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Gaighat P.S. Case no.66 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 Court concerned where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Harsh/-

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