

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.536 of 2026

Arising Out of PS. Case No.-83 Year-2025 Thana- ANDHRAMATH District- Madhubani

Dayanand Yadav @ Dayanand Kumar Yadav S/O Tej Narain Yadav R/O
Village- Rauahi,P.S-Andhramath, Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhagwandat Mandal S/O Late Chhedi Mandal R/O Village- Rauahi,P.S-
Andhramath, Dist- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saumya
For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 25-02-2026 Heard learned counsel for the petitioner, opposite party no. 2 and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 137(2), 96, 352, 351, 3(5) of the B.N.S. but charge-sheet has been submitted against the petitioner under Sections 137(2), 96, 65(1) of the B.N.S., Section 4/8 of the POCSO Act and Section 9 of the Prohibition of Child Marriage Act.

3. Petitioner is said to have kidnapped the minor grand daughter of the informant.

4. Learned counsel for the petitioner has submitted that the First Information Report has been lodged after a delay



of 7 days and the present case arises out of love relationship between the petitioner and the victim. It is further submitted that the age assessment of the victim is not correct and the victim herself had refused the medical examination. The statement of the victim recorded under Section 183 of the B.N.S.S. indicates that the victim had fled away from her house voluntarily and had gone along with the petitioner to Delhi where she married the petitioner. She has negated the factum of kidnapping and has affirmed the fact that she was in a love relationship with the petitioner. She has also clearly stated that she wants to go her matrimonial household and not to her parents. Further, the petitioner is also a young boy aged about 20 years and is in custody since 05.06.2025 and charge-sheet has been submitted on 08.08.2025 whereafter charges have already been framed.

5. Learned APP for the State and the learned counsel for the opposite party no. 2 have opposed the application for bail on the ground that the victim is a minor girl and her consent would amount to no consent in the eyes of law.

6. Taking into consideration the facts and circumstances and considering the statement of the victim girl and also the age of the petitioner coupled with the factum of delay in lodging of the FIR and also considering the possibility



of youthful indiscretion on behalf of the petitioner and the victim, let the above named petitioner, be enlarged on bail 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 below where the case is pending/successor court in connection with Andhramath P.S. Case No. 83 of 2025.

(Soni Shrivastava, J)

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