

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24421 of 2020

Arising Out of PS. Case No.-894 Year-2019 Thana- PATRAKARNAGAR District- Patna

1. RAHUL KUMAR Son of Dinsh Yadav Resident of Mohalla- Bari Pahari, P.S.- Agamkuan, District- Patna.
2. Rukhi Devi (Mother of Dipu) Wife of Dinesh Yadav Resident of Mohalla- Bari Pahari, P.S.- Agamkuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-10-2020 Heard Mr. Rudra Deo, learned counsel for the petitioner and Mr. Pawan Kumar Chaurasia, Additional Public Prosecutor for the state through video conferencing.

2. Petitioners apprehend their arrest in connection with Patrakar Nagar PS Case No. 894/2019 registered for the offence punishable under Sections 363/366A of the Indian Penal Code.

3. The allegation against the petitioners, as per FIR, is that the daughter of informant was kidnapped by one Dipu Kumar with the help of these petitioners and other accused persons.

4. Learned counsel for the petitioner submits that the



petitioners have falsely been implicated in this case along with entire family members. Learned counsel further submits that petitioner no. 1, Rahul Kumar is brother and petitioner no.2, Rukhi Devi is mother of accused, Dipu Kumar. Learned counsel further submits that the entire family members have been implicated in this case and there was love affairs between the victim girl and son of petitioner no.2, inasmuch as earlier also informant had lodged a case against the son of petitioner no.2 for which, Sultanganj PS Case No. 575/2019 was lodged, and further the victim girl, in her statement made under Section 164 CrPC (Annexure-II/A), has categorically stated that she has performed marriage with Dipu Kumar in a temple at Kolkata.

5. Learned counsel further submits that the victim girl is major and her date of birth as recorded in Adhar Card is 25.04.2001. It is next submitted that as per instruction, the victim girl is, right now, residing with Dipu Kumar, i.e., the son of petitioner no.2.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the victim girl has performed marriage with Dipu Kumar, son of the petitioner no.2, I am inclined to grant anticipatory bail to the petitioners.



7. Accordingly, petitioners, named above, shall be released on anticipatory bail, in the event of arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Judge-VIII-cum-ACJM, Patna in connection with Patrakar Nagar PS Case No. 894/2019, subject to the conditions as laid down under Section 438(2) CrPC.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

