

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78314 of 2019

Arising Out of PS. Case No.-169 Year-2019 Thana- BAKHARI District- Begusarai

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NIRAJ KUMAR Son of Lalan Das Resident of Village- Bab Bakhdda, P.S.-
Chhaurahi, District- Begusara

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Bakhari P.S. Case No. 169 of 2019, registered for the
offence punishable under sections 366 and 34 of the Indian
Penal Code.

As per allegation in the F.I.R., the wife of the
informant disappeared and on inquiry it transpired that five
named accused persons including the petitioner herein had a
hand in her kidnapping.

It is submitted by learned counsel for the petitioner
that the victim, wife of the informant returned and her



statement was recorded under section 164 Cr.P.C. which has been brought on record as Annexure-2 to the application. From perusal of the same, it would transpire that she has stated therein that she knew the petitioner since before her marriage and wanted to marry with him but she was forced to marry the informant against her wishes. She further states that the informant used to beat her and she had willfully and at her instance, she had gone with Neeraj, i.e the petitioner. It is further submitted that the petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the statement of the victim under section 164 Cr.P.C. together with the fact that the petitioner has no criminal antecedent, this Court is inclined to grant bail to the petitioner and he is directed to surrender in the court below within a period of six weeks from today and in the event of his arrest or surrender, he shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Bakhari P.S.



Case No. 169 of 2019, subject to the condition as laid down
under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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