

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37343 of 2020

Arising Out of PS. Case No.-72 Year-2020 Thana- PATORI District- Samastipur

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1. MANOJ KUMAR RAI @ MANOJ KUMAR son of Munilal Rai Resident of Village- Uttari Dhamoun, P.S. Patori, District- Samstipur
 2. RAJESH KUMAR son of Ramchandra Rai Resident of Village- Uttari Dhamoun, P.S. Patori, District- Samstipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 25-03-2021 Heard learned counsel for the petitioners and the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

Counsel for the petitioners seeks permission to withdraw this application with regard to petitioner No. 2 as during pendency of this application, he has been taken into judicial custody.

Permission is granted.

Accordingly, this application with regard to petitioner



No. 2 is dismissed as withdrawn.

The petitioner No. 1 is apprehending his arrest in a case registered under Section 365/34 of the Indian Penal Code.

Allegedly, the accused persons abducted the informant's son aged about 25 years and forcefully got him married with daughter of one of the accused petitioner.

It has been submitted on behalf of the petitioner No. 1 that the petitioner No. 1 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner No. 1. The petitioner No. 1 has been made accused in the present case due to mistake of fact. The victim boy has already been recovered. It has been submitted that the victim boy had love affairs with daughter of the petitioner No. 1. They had eloped with consent of each other.

On behalf of the State, it is submitted that the petitioner No. 1 is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner No. 1, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of learned Sub Judge-cum-



Additional Chief Judicial Magistrate-II, Samastipur in
connection with Patori (Mohanpur) P.S. Case No. 72 of 2020
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Sudhir Singh, J)

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