

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39324 of 2020

Arising Out of PS. Case No.-140 Year-2020 Thana- JAGDISHPUR District- Bhojpur

Krishna Ram Son of Lalbabu Ram, Resident of Village- Jagdishpur, Chik
Toli, Ward No. 4, P.S.- Jagdishpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-10-2021 Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Heard the parties through video conferencing.

Heard learned counsel Mr. Rajani Ranjan Prasad,
appearing on behalf of the petitioner and learned APP Smt. Asha
Devi, appearing on behalf of the State.

The present pre-arrest petition for anticipatory bail in
connection with Jagdishpur P.S. Case No. 140 of 2020
registered under Sections 363, 366(A), 379/34 of the Indian
Penal Code.

The prosecution case in brief is that one Allauddin
Kuresi gave his written report on 17.06.2020 before the police
stating therein that on 15.06.2020 his niece namely Farhan
Khatoon had gone in the house of Rajkumar Tatva and she did



not return then he went in the house of Rajkumar Tatva and he did not find his niece and Rajkumar Tatva then he went in to house of the Krishna Ram who was also not present. It is further alleged that Rajkumar Tatva had kidnapped his niece with the help of petitioner and his brother Kanhiya Ram.

Learned counsel appearing on behalf of the petitioner submits that his brother Kanhaiya Ram has also been named in the F.I.R and he has been granted regular bail by the Court below. Learned counsel for the petitioner further submits that Victim Farhan Khatoon has filed an affidavit in which she has mentioned that she has already married with Rajkumar Tatva and in the said affidavit she herself has mentioned her date of birth as 01.01.2001 from which it appears that she is not minor.

Learned APP appearing on behalf of State states that there is no specific statement in the petition as to whether the victim has been recovered or not as on date.

Considering the facts and circumstances of the case and the submission made by the petitioner's counsel that the victim has already married with one Rajkumar Tatva and the said fact is being substantiated from the order of the Court below that an affidavit has been sworn by victim Farhan Khatoon stating therein that she has married to one Rajkumar



Tatva, this Court is inclined to grant anticipatory bail to the petitioner.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on anticipatory bail, in the event of his arrest or surrender before the Court below within four weeks from today, 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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Jagdishpur P.S. Case No. 140 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Purnendu Singh, J)

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