

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4702 of 2022**

Arising Out of PS. Case No.-474 Year-2021 Thana- MADHAURAH District- Saran

1. PRASHANT KUMAR S/o Animesh Kumar Yadav @ Subhuk Lal Yadav @ Animesh Kumar @ Animesh Yadav R/Village - Basua, P.S. - Pasraha, District - Khagaria.
2. Manikant Kumar S/o Animesh Kumar Yadav @ Subhuk Lal Yadav @ Animesh Kumar @ Animesh Yadav R/Village - Basua, P.S. - Pasraha, District - Khagaria.
3. Pratima Kumari @ Pratima Devi S/o Animesh Kumar Yadav @ Subhuk Lal Yadav @ Animesh Kumar @ Animesh Yadav R/Village - Basua, P.S. - Pasraha, Dist.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Binod Kumar, Advocate  
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      18-08-2022                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366(A) and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent, are brothers and mother of Nikhil Kumar, the petitioner nos. 1 and 2 are aged about 21 and 18 years and the informant alleges that on 02.08.2021 at about 11:00 am, his granddaughter, a minor, said



she was going to the market but did not return and when it started getting late, a search was made but the victim could not be located thereafter on 04.08.2021 at 8:00 am, a call came on the mobile of the informant and the person who had called disclosed his name as Nikhil Kumar and when the informant reached the place of Nikhil Kumar, it is alleged that the petitioners hurled abuses and assaulted the informant, it is next alleged that all the accused have enticed the victim for marriage and informant fears some miss happening.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case merely because they are brothers and mother of Nikhil Kumar, it is further submitted that Nikhil Kumar is a wayward son and had earlier performed his love marriage with Kajal and she is presently staying with the petitioner, it is also submitted even statement of Kajal Kumari was recorded by the police as would be evident from paragraph '51' of the case diary. Learned counsel next submitted that Nikhil Kumar was working at Saran and it appears that he again fell in love with the victim and they eloped and the petitioners who were staying at Khagaria came to be implicated merely because they are his relatives.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each 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 Madhauda (Goura O.P.) P.S. Case No. 474 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/-

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