

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7341 of 2022**

Arising Out of PS. Case No.-145 Year-2021 Thana- MANPUR District- Nalanda

1. Rambriksh Yadav Son Of Sibal Yadav R/O Village- Goriapar, P.S.- Manpur, District- Nalanda
2. Nitish Kumar Son Of Rambriksh Yadav R/O Village- Goriapar, P.S.- Manpur, District- Nalanda
3. Satish Kumar Son Of Rambriksh Yadav R/O Village- Goriapar, P.S.- Manpur, District- Nalanda

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar, Pramod Kumar, Advocates
For the Opposite Party/s : Mr.PK Pandey, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 28-07-2022 Petition for pre-arrest bail of petitioner no. 1 and 3

has already been dismissed as withdrawn vide order dated

19.7.2022.

Heard learned counsel for the petitioner no. 2 and the

State.

The petitioner apprehends arrest in a case registered

for the offence punishable under sections 379/363 and other

ancillary sections of the Indian Penal Code.

Prosecution case is that all the accused persons

including petitioner no.2 took the informant to a temple on the

point of pistol and forcibly performed his marriage with an

unknown girl. Petitioner no.2 is also alleged to have taken away

mobile phone from the pocket of the informant.

Learned counsel for the petitioner no. 2 submits that



there is no allegation of committing overt act against this petitioner. There is delay of nine days in lodging the FIR. Informant is major as such section 9 of Child Marriage Act would not be applicable in this case. Petitioner has got no criminal antecedent.

Considering the aforesaid facts of the case, prayer for bail of the petitioner no. 2 is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above 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 Chief Judicial Magistrate, Nalanda at Biharsharif in Manpur Police Station Case No. 145 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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