

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23395 of 2021

Arising Out of PS. Case No.-437 Year-2020 Thana- BIHPUR District- Bhagalpur

1. VEENA DEVI W/O SHAMBHU SHARMA R/o village- Paharpur Ashatol, P.S.- Bihpur (Bhawanipur), District- Bhagalpur
2. Abhinandan Kumar @ Abhijit Kumar S/o Shambhu Sharma R/o village- Paharpur Ashatol, P.S.- Bihpur (Bhawanipur), District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amrendra Kumar, Advocate
For the Opposite Party/s	:	Mr.Murli Dhar, APP
For the Informant	:	Mr.Braj Bhusaan Poddar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 29-06-2022 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the victim girl, Shri Braj Bhusan Prasad.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 363, 366 and 34 of the I.P.C.

The learned counsel for the petitioner submits that petitioner no. 1 is a lady and both the petitioners are persons with clean antecedent and the informant alleges that her minor daughter, aged about 15 years, went for tuition from her house but did not return and on search she got information that one Arpan Kumar has kidnapped her daughter with an intention to



marry when her daughter is a minor and is a student of class ten. It is next alleged that when the informant inquired from the mother (petitioner no.1) of Arpan Kumar about the occurrence then she disclosed that her son had gone to her father's place with her daughter.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case merely because they are mother and younger brother of Arpan, it is next submitted that the victim is a major and she is staying with Arpan after marrying him. It is further submitted that in the impugned order it is recorded that the victim girl is still traceless but that is not the fact.

Learned counsel who appears on behalf of the victim girl produces the Aadhar Card of the victim wherein her date of birth is mentioned as 01.02.2002, the Aadhar Card is kept on record. It is next submitted that the victim does not have any grievance with the petitioners as she is leading a happy conjugal life with Arpan and is a major.

Considering the submissions made by the learned counsel for the petitioners and Shri Braj Bhusan Poddar, learned counsel who appears on behalf of the victim *suo-moto*, 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. 20,000/- (Rupees Twenty 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 Bihpur P.S. Case No. 437 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

In the event, if it transpires that the bail has been obtained based on collusion, the informant would be at liberty to move for cancellation of bail bonds of the petitioner.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

