

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20066 of 2022

Arising Out of PS. Case No.-115 Year-2016 Thana- NATHNAGAR District- Bhagalpur

1. RAVI KUMAR S/o Harihar Prasad Yadav R/o village- Ghoshi Tola Nath Nagar, P.S.- Nathnagar, District- Bhagalpur
2. Prem Yadav S/o Naresh Yadav R/o Village- Shankarpur, P.S.- Muffasil, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 363 and
366A of the Indian Penal Code.

Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent.

The informant alleges that on 17.04.2015 at about
05:00 a.m. when she woke up she found her minor sister
missing from her bed, accordingly, a search was made but she
could not be located. It is further alleged that on the same day at



about 07:00 a.m. the informant went to the house of her neighbour Ravi Kumar (petitioner no. 1) and came to know that Ravi Kumar was also missing. It is further alleged that petitioner no. 1 allured her sister and eloped with her with an intention of marriage.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that petitioner no. 2 is not named in the FIR. It is next submitted that from the tenor of allegation it would manifest that petitioner no. 1 and the sister of the informant were in love and they eloped. It is also submitted that no doubt the sister of the informant was minor aged about 16 years but she was educated and thus has reached the age of discretion to understand the consequences of her action. It is further submitted that petitioner no. 1 and the victim have already performed marriage and were living happily and even have two child from the wedlock. Learned counsel next submits that by sending the petitioner no. 1 to jail at this stage would not serve any purpose when the victim *per se* does not have any grievance.

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 Nathnagar P.S. Case No. 115 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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