

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31132 of 2021**

Arising Out of PS. Case No.-266 Year-2020 Thana- BIKRAM District- Patna

PRADUMAN RAM @ PRADUMAN KUMAR S/o Raghuram R/o village-
Khoraitha, P.S.- Bikram, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyam Kuamr, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 20-01-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case in connection with Bikram P.S. Case No.266 of 2020, registered for the offence punishable under Section 366(A)/34 of the Indian Penal Code.

The allegation against the petitioner is that he has kidnapped the minor daughter of the informant.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case merely on suspicion and malafide intention. No such occurrence, in the manner as alleged has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The statement of the victim was recorded u/s 164 Cr.P.C, in which, she has not supported the prosecution case and stated that nobody has kidnapped her rather she went with the petitioner on her own sweet will. It is submitted that she has solemnised marriage with the petitioner in a temple. Her age was assessed to be of 16 years according to the educational certificates and on this ground, learned court below has rejected the prayer for bail of the petitioner. Petitioner has no criminal antecedent, as also mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the victim has not supported the prosecution case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail



bond of Rs. 25,000/- (Rupees Twenty Five Thousand) 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 Bikram P.S. Case No.266 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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