

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34134 of 2021

Arising Out of PS. Case No.-37 Year-2020 Thana- MAHILA P.S. District- Purnia

Prince Kumar Son Of Nirmal Kumar Yadav Resident of Village - Bhotiya,
P.S.- Dhamdaha, Dist.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Dr. Bidhu Ranjan, Adv.
For the State	:	Mr. Sanjay Kumar Tiwary, APP
For the Informant	:	Mr. Praveen Kr. Agrawal, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-01-2022 Heard learned senior counsel for the petitioner and

learned Additional Public Prosecutor for the State through the

virtual court proceeding.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 363, 366,
376, 342, 498A, 506/34 of the Indian Penal Code.

It is submitted by learned senior counsel for the
petitioner that petitioner is innocent and has been falsely
implicated in this case. He submits that the alleged occurrence
took place on 04.03.2020 but the FIR has been lodged on



25.12.2020 after about more than nine months without reasonable explanation of delay. He submits that petitioner was kidnapped by the informant's father for solemnizing marriage with the informant/victim and after marriage, the victim remained in the matrimonial home. He submits that after marriage, the informant misbehaved with the parents of the petitioner resulted into some dispute and ultimately the petitioner also filed matrimonial suit vide Matrimonial Suit No. 02 of 2021 for declaring the marriage to be null and void as the marriage has been solemnized after confining the petitioner by the informant's parents and further at the time of kidnapping of the petitioner, parents also made a petition before Dhamdaha Police. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State and informant oppose the prayer for bail and submit that victim in her statement recorded under Section 164 Cr.P.C. has supported the prosecution case.

Considering the facts and circumstances of the case and the fact that there is delay in filing the FIR, the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from



today, be enlarged on bail 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 Mahila P.S. Case No. 37 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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