

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33731 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- WAJIRGANJ District- Gaya

SURAJ KUMAR PATHAK @ ANKIT KUMAR PATHAK @ SURAJ KUMAR S/O LATE DEVENDRA PATHAK, R/o village- Farda- Dih Tola, P.S.- Naya Ram Nagar, Distt.- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Jharkhandi Upadhyay
Mr. J. N. Thakur

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 28-06-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as Mr. J. N. Thakur, the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Wazirganj P.S. Case No. 28 of 2021 registered for offence punishable under sections 366 (A)/379 of the Indian Penal Code.

As per allegation, the petitioner had kidnapped the daughter of the informant.



The learned counsel for the petitioner has submitted that both the parties are major and they have solemnized their marriage in Arya Samaj Mandir. He has submitted further that the alleged victim was produced in the police station by the parents and she rendered her statement under section 161 of the Code of Criminal Procedure. He has also submitted that it has been mentioned in paragraph 56 of the case diary that the alleged victim has refused for her medical treatment and it has also been mentioned that no ill treatment was done to her.

Though, the victim has stated in her statement that the present petitioner had kidnapped her, but she refused for medical treatment. It has also been mentioned that no ill treatment was done to her. The certificate of Arya Samaj Krishna Nagar, Prayagraj (Uttar Pradesh) is annexed with the record showing that the petitioner and the alleged victim have solemnized their marriage. The photograph of both persons are affixed on that certificate, which also reveals that they are shown in that photograph as bride and groom.

Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with



two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Gaya in connection with Wazirganj P.S. Case No. 28 of 2021, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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