

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57459 of 2021

Arising Out of PS. Case No.-213 Year-2021 Thana- FATEHPUR District- Gaya

MUNNA KUMAR Son of Dhanuk Prasad Resident of Village - Khap, P.S.-
Mohanpur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Shailesh Kumar, Advocate
For the State	:	Mr. Rajeev Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Fatehpur P.S. Case No.213 of 2021, registered for the offence punishable under Section 363 of the Indian Penal Code.

The prosecution case, in brief, is that on 29.06.2021 Rakmini Kumari and Gudiya Devi, daughters of the informant, alongwith his grandson, Aryan Singh went to Fatehpur for treatment of Rukmini Kumari. At about 02.30 P.M., Gudiya Devi, the younger daughter of the informant went to buy vegetables but she did not return.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. It is further submitted that the victim solemnized marriage with the petitioner, which is clear from Annexure-2 of this bail



application although the victim was already married with another person before solemnizing marriage with the petitioner. From perusal of the statement of the victim recorded under Section 164 Cr.P.C., it transpires that no case is made out against the petitioner. It is lastly submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application.

The learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, 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 learned Chief Judicial Magistrate, Gaya in connection with Fatehpur P.S. Case No.213 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

Sanjay/-

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