

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66807 of 2022

Arising Out of PS. Case No.-157 Year-2022 Thana- SHYAMPUR BHATHA District- Sheo-
har

MD. KHALIK @ ABDUL KHALIK SON OF MD. SERAJ @ MD. SERAJUL HAQUE R/O VILLAGE- UDAY CHHAPRA, P.S.- SHYAMPUR BHATAHA, DISTRICT- SHEOHAR Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nasim Yahya
For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Shyampur Bhataha P.S. Case no. 157 of 2022 instituted for the offence under Sections 363, 366(A)/34 of the Indian Penal Code.

As per allegation in the FIR, while married daughter of the informant went for nature's call, informant has strong suspicion that petitioner has kidnapped her for marriage purpose.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Victim lady is an adult and she is capable of taking decision in her best interest. Statement of the victim girl has got recorded in which she has stated that she was not happy with her



first husband due to his cruel behaviour with her and out of her own sweet will, she has eloped with the petitioner and performed marriage with him. She has not raised any finger for any wrongful act against the petitioner. Presently she is living with the petitioner in her matrimonial home.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Shyampur Bhataha P.S. Case no. 157 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 1st, Sheohar subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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