

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6515 of 2023

Arising Out of PS. Case No.-460 Year-2022 Thana- CHIRAIYA District- East Champaran

1. AALOK KUMAR Son of Manoj Rai @ Manoj Kumar Resident of Village- Semra Dhath, P.S.- Chiraiya, District- East Champaran
2. SHARVAN KUMAR Son of Krit Rai Resident of Village- Semra Dhath, P.S.- Chiraiya, District- East Champaran
3. SARV JEET KUMAR Son of Krit Rai Resident of Village- Semra Dhath, P.S.- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-05-2023 Heard the parties.

Petitioners apprehend their arrest in connection with Chiraiya PS Case No. 460 of 2022 dated 30.10.2022 registered under Section 366 / 34 of the IPC.

As per the prosecution case in the night on 28-10-2022 the informant and her daughter was sleeping in the house and her daughter came out of the room and went in the courtyard from where the petitioners kidnapped the daughter of the informant.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case inasmuch as



there was love affair between the petitioner no. 1 and the victim lady and the marriage of the victim was solemnized a few months back, which was being protested by the petitioner no. 1 and as such, petitioners have falsely been implicated in the present case. Learned counsel next submits both the parties are co-villagers and there is delay in lodging the FIR inasmuch as occurrence had taken place on 28-10-2022 and the FIR had been lodged on 30/10/2022. She also submits that within two days of the occurrence the victim lady came back to her residence and was not rescued by the Police. In her statement recorded under Section 164 Cr.P.C. the victim has not said that she was physically exploited by the petitioners. Petitioners are men of means having no criminal antecedent

Regard being had to the submission made by the parties, taking into consideration the material on record, the fact that there appears to be love affair between the petitioner no. 1 and the victim lady, the victim lady on her own arrived after two days of the alleged occurrence and there is delay in lodging of FIR, as such, I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the



court below within a period of four weeks from today on
furnishing bail bond of Rs. 10000/- (rupees ten thousand) each
with two sureties of the like amount each to the satisfaction of
A.C.J.M. 4, Sikarhna at Dhaka in connection with Chiraiya PS
Case No. 460 of 2022 subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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