

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10332 of 2023

Arising Out of PS. Case No.-405 Year-2022 Thana- TURKAULIYA District- East
Champaran

DEEPAK KUMAR S/O HARILAL SAHANI Resident of Village- Majhriya
Sapahi, P.S.- Raghunathpur, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s : Mr. Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 363 and 366A of the Indian Penal Code pending in the learned court below.

Allegation against the petitioner is that he has kidnapped the minor daughter of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner has solemnized the marriage with the daughter of the informant. He submits that the statement of the victim was recorded under Section 164 Cr.P.C. in which she had not supported the prosecution case. He further submits that according to the medical board the age of the



victim girl is about 18-19 years. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that the as per the school record, the date of birth of the victim girl is 14.01.2005 as mentioned in para no.5 of the supplementary case diary. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Turkauliya (Raghunathpur) P.S. Case No. 405/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

If the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order considering this fact that the petitioner has married with the victim girl.

(Anjani Kumar Sharan, J)

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