

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17158 of 2023

Arising Out of PS. Case No.-38 Year-2022 Thana- TARABARI District- Araria

RAKESH KUMAR SINGH @ RAKESH SINGH @ RAKESH KUMAR S/O
SHREE DINESH SINGH R/v- Navtoli Kajra (Pachira), Ward No. 11, P.S.-
Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Nand Poddar
For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-05-2023 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Tarabari Police Station Case No. 38 of 2022 dated
08.05.2022, disclosing offences under Sections 363/366-A/34 of
the Indian Penal Code.

The prosecution case, on the basis of the First
Information Report, is that the petitioner along with other
accused persons allegedly abducted the minor daughter of the
informant for the purpose of marriage.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case along
with his family members inasmuch as there was a love affair



between the petitioner and the victim girl. The statement of the victim girl was recorded under Section 164 Criminal Procedure Code is annexed at Annexure-3 and from perusal of the same, it appears that the victim girl has said that she had gone voluntarily with the petitioner and performed marriage in a temple. She has not supported the prosecution story in her statement under Section 164 Criminal Procedure Code. It is a case of adolescent love and the victim girl was mature enough to take her own decisions.

Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the statement of the victim girl recorded under Section 164 Criminal Procedure Code does not support the prosecution story, accordingly, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Tarabari Police Station Case No. 38 of 2022,



subject to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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