

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17640 of 2023

Arising Out of PS. Case No.-75 Year-2022 Thana- BITHAN BAZAR District- Samastipur

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ARJUN KUMAR @ ARJUN KUMAR SAHNI Son of Hari Sahni R/o
Manorwa Khaira, Post - Sohma, Bithan PS, Samastipur - 848101, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-05-2023 Heard the parties.

Petitioner apprehends his arrest in connection with Bithan P.S. Case No. 75 of 2022 dated 10.5.2022 registered for the offence punishable under Sections 363 and 366-A/34 of the Indian Penal Code.

As per the First Information Report, the petitioner allegedly abducted the minor daughter of the informant aged about 11 years.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch as there was love affair between the petitioner and the victim girl. The victim girl was major as would be evident from Aadhar Card of the victim annexed at Annexure-2 to the application in which



the date of birth of the victim girl has been mentioned as 1.2.2003. He further submits that Birth Certificate of the girl produced by the informant is not genuine. He next submits that the age of the victim girl has been assessed by the Medical Board as 17-18 years. The victim girl has been recovered and her statement under Section 164 was recorded by the learned Magistrate in which she has specifically stated that she has love affair with the petitioner and she had gone with him voluntarily.

Regards being had to the submission made by the parties and taking into consideration the date of birth mentioned in Aadhar Card, the age of the victim girl has been assessed by the Medical Board as 17-18 years, statement of the victim girl recorded under Section 164 Cr. P.C., I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Bithan P.S. Case No. 75 of 2022 subject to the condition as laid down under Section



438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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