

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17371 of 2023

Arising Out of PS. Case No.-175 Year-2022 Thana- SAKRA District- Muzaffarpur

MAHENDRA RAI Son of Late Lakshan Ram Resident of Village - Kinaru,
P.S.- Maniyari, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the State : Mr. Pronoti Singh

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 Sakra Police Station Case No. 175 of 2022, dated 07-04-2022, disclosing offences under Sections 363/365/366A/34 of Indian Penal Code.

The prosecution case, as per the First Information Report, is that the minor daughter of the informant was abducted by the co-accused Sonu Kumar with the help of Raju Kumar Rai on the pretext of filling up form in the Government School, Machhahi. The allegation against the petitioner is that when the informant went at the house of the petitioner to enquire regarding the whereabouts of her daughter, she was abused by the petitioner and he also intended to assault the



informant.

The learned counsel for the petitioner submits that petitioner has falsely been implicated in this case merely because he happens to be the father of co-accused Raju Kumar Rai, with whom the victim has solemnized marriage. He further submits that though the informant in her statement under Section 164 of the Cr.P.C, has said that she was forced to marry with Raju Kumar Rai at the behest of her brother-in-law, Sonu Kumar, but there is no allegation of abduction and kidnapping against the petitioner. He next submits that the petitioner has got no criminal antecedent.

Regards being had to the submission made on behalf of the parties and taking into consideration the fact that the allegation of abduction is not upon the petitioner and he has been made accused on the basis of the fact that he happens to be the father of co-accused Raju Kumar Rai with whom the marriage of the informant has forcibly been performed, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the the event of his arrest or surrender before the Court below within a period of four weeks form today, be released on bail on furnishing bail



bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate XII, Muzaffarpur, in connection with Sakra Police Station Case No. 175 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

Mayank/Prabhakar Anand

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