

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20882 of 2023

Arising Out of PS. Case No.-314 Year-2021 Thana- KHAGARIA District- Khagaria

DURGESH KUMAR Son of Late Prafull Choudhary R/V- Rahimpur
Charkhuthi PS- Muffasil Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv.

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-06-2023 Heard Mr. Binod Kumar, learned counsel for the

petitioners and Ms. Shaheen Begum, learned Additional Public

Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with
Khagaria (Mufassil) PS Case No. 314/2021 dated 09.04.2021
registered for the offence punishable under Section 366(A) of
the IPC.

3. As per allegation made in the FIR, one Gulshan
Kumar has allegedly, abducted minor daughter of the informant
for the purpose of marriage.

4. Learned counsel for the petitioner submits that the
the petitioner is not named in the FIR and he has falsely been
implicated in this case due to rivalry. He next submits that the
victim girl was recovered and her statement under Section 161



CrPC was recorded wherein she has not disclosed the name of the petitioner and has stated that she had gone to Delhi with Gulshan Kumar who allured her to accompany him. He further submits that in the statement of the victim recorded under Section 164 CrPC, name of the petitioner has come in which the victim has only stated that there is role of Durgesh Kumar in supporting the main accused, Gulshan Kumar.

5. Regards being had to the submissions made by the parties, taking into consideration the statement of the victim recorded under Sections 161 and 164 of the CrPC, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, let the petitioner, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory 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, Khagaria in connection with Khagaria (Mufassil) PS Case No. 314/2021, GR No. 1190/2021, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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