

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24322 of 2023

Arising Out of PS. Case No.-291 Year-2021 Thana- BHANGWANPUR HAT District- Siwan

Kusum Devi Wife Of Parmanand Ram R/O Village- Sondhani, P.S.-
Bhagwanpur Haat, District- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Avinash Kumar

For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-07-2023 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 366-A/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, 7 accused persons along with 3-7 unknown persons 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 statement of the victim girl was recorded under Section 164 Cr.P.C. in which she stated that she solemnized marriage with the petitioner's son Nitish Kumar on her own sweet will and from their wedlock a child was born and the victim girl is living happily with her husband in her



matrimonial house. He submits that husband of the petitioner has already been granted bail by a Coordinate Bench of this Court vide order dated 22.02.2023 passed in Cr. Misc. No. 30026/2022. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the statement of the victim recorded under Section 164 Cr.P.C., let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Bhagwanpur Hat P.S. Case No.291/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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