

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24791 of 2023

Arising Out of PS. Case No.-67 Year-2022 Thana- LAKHISARAI District- Lakhisarai

SANNY KUMAR @ SANNI KUMAR S/O UPENDRA PASWAN Resident
of Village- Santar Ward No.- 13, P.S.- Lakhisarai, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 363,
366(A), 120B and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is aged about 22
years and the informant alleges that her minor daughter aged
about 17 years 9 months and 23 days was kidnapped by the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case, it is
next submitted that petitioner and the victim were in love and
they fled to Delhi where they stayed together. It is next



submitted that even presuming what has been alleged is true without admitting, then the victim had reached the age of discretion. It is also submitted that after they returned, the victim under parental pressure was made to record her statement under Section 164 Cr.P.C wherein she supported the case of the prosecution. Learned counsel for the petitioner further submits that it is not a case under Section 376 of the Indian Penal Code, it is next submitted that the informant realizing her mistake has entered into a compromise with the petitioner on 23.06.2023 and a compromise petition has been filed before the learned Trial Court. It is next submitted that since the matter has been compromised and the victim has reached the age of discretion, as would be evident from the order impugned itself and as such no justifiable purpose would be served by sending the petitioner to jail when admittedly petitioner is also a young boy and in the event if he is sent to judicial custody, his entire career would get jeopardized and chances are bright that he may come in contact with hardened criminals.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Lakhisarai P.S. Case No. 67 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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