

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33231 of 2023

Arising Out of PS. Case No.-366 Year-2022 Thana- BAIRIYA District- West Champaran

SUBODH PATEL S/O MOTILAL PATEL R/O Village-Sansaraiya, P.S.-
Bettiah Mufassil, District-West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha

For the Opposite Party/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-08-2023 Heard the parties.

2. In compliance of order dated 24.07.2023, learned
Spl.PP for the State produced the victim in the Court.

3. The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 366A and other allied
Sections of the Indian Penal Code, Section 12 of POCSO Act
and Section 3(i)(r)(s) of SC/ST Act.

4. The allegation against the petitioner is that he
kidnapped the daughter of the informant for the purpose of
marriage.

5. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and have committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. There is no specific
overt act against the petitioner. He further submits that the



statement of the victim was recorded u/s 164 of Cr.PC in which she has stated that she has solemnized marriage with the petitioner and this fact is fully supported the victim in the Court as well. Petitioner has two criminal antecedent.

6. Learned Spl.PP for the State opposed the prayer for anticipatory bail.

7. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bairiya P.S. Case No.366 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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