

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38920 of 2023

Arising Out of PS. Case No.-134 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

1. SUNIL KUMAR @ SUNIL RAM Son of Krishna Ram R/o village - Keshopur Bakri, P.S. - Udwant Nagar, Distt. - Bhojpur
2. Dinesh Ram Son of Krishna Ram R/o village - Keshopur Bakri, P.S. - Udwant Nagar, Distt. - Bhojpur
3. Amarjeet Kumar @ Kajal Paswan Son of Vinod Paswan R/o village - Sewdha, P.S. - Narayanpur, Distt. - Bhojpur, presently residing at village - Keshopur Bakri, P.s. - Udwant Nagar, Distt. - Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-07-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Udwant Nagar Police Station Case No. 134 of 2023, dated 23.03.2023, disclosing offences punishable under Sections 366-A/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the minor sister of the informant has allegedly been kidnapped by the petitioners and others.
4. Learned Counsel for the petitioner submits that the petitioners are the father and cousins of co-accused Prince



Kumar, with whom the victim girl was having love affair and both of them have solemnized marriage. He further submits that the petitioners have been made accused in this case merely because they happened to be the family members of co-accused Prince Kumar. He further submits that the statement of the victim girl was recorded under Sections 161 and 164 of the Code of Criminal Procedure, 1973, in which she has stated that she is aged about 18 years and has solemnized marriage with Prince Kumar and she was not kidnapped by anyone.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the statement of the victim girl, under Sections 161 and 164 of the Code of Criminal Procedure, 1973, and the petitioners are the family members of co-accused Prince Kumar, with whom the victim girl was having love affair, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from 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 Chief Judicial Magistrate, Bhojpur, at Ara, in connection with Udwant Nagar Police Station Case No. 134 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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