

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41370 of 2023

Arising Out of PS. Case No.-115 Year-2022 Thana- CHAUSA District- Madhepura

1. LADDU SINGH Son of Late Madan Singh Resident of Village - Rampur Niwad, Chotki Badhauna, Ward No.- 8, P.S.- Chausa, District - Madhepura.
2. Manjula Devi Wife of Sri Laddu Singh Resident of Village - Rampur Niwad, Chotki Badhauna, Ward No.- 8, P.S.- Chausa, District - Madhepura.
3. Raman Singh Son of Sri Laddu Singh Resident of Village - Rampur Niwad, Chotki Badhauna, Ward No.- 8, P.S.- Chausa, District - Madhepura.
4. Niranjana Singh Son of Sri Maheshwar Singh Resident of Village - Rampur Niwad, Chotki Badhauna, Ward No.- 8, P.S.- Chausa, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366A/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no. 2 is a woman.

4. The informant alleges that his minor daughter aged about 13 years was kidnapped by the accused persons including the petitioners with an intent to marry.



5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that police after carrying out threadbare investigation submitted final form in favour of the petitioners but the allegation against Gaurav Kumar was found true. It is next submitted that Gaurav Kumar has been granted the privilege of regular bail by a Coordinate Bench of this Court vide order dated 17.03.2023 in Cr. Misc. No. 69176 of 2022. It is also submitted that the victim in her statement recorded under Sections 161 and 164 Cr.P.C. has not supported the case of the prosecution rather has stated that she married Gaurav Kumar and disclosed her age as 18 years though in the FIR it is alleged that the victim is 13 years of age. It is further submitted that the petitioners now apprehend their arrest as the learned trial court in a mechanical manner based on the police investigation has taken cognizance.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) each 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 Chausa P.S. Case No. 115 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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