

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42519 of 2023

Arising Out of PS. Case No.-881 Year-2022 Thana- BODHGAYA District- Gaya

Abhishek Kumar Son of Jitendra Singh, Resident of Village- Parsouni, P.S.-
Bodh Gaya , Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-07-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as learned counsel for the informant.

3. The petitioner seeks regular bail in connection with
Bodh Gaya P.S. Case No.881 of 2022 dated 15.12.2022, lodged
under Sections 366(A)/504/506/34 of the Indian Penal Code.

4. As per prosecution case, the daughter of informant
has been kidnapped with a view to forceful marriage.

5. Learned counsel for the petitioner submits that the
said occurrence was alleged to be taken place on 05.12.2022
whereas F.I.R. has been lodged on 15.12.2022. He further
submits that petitioner is in custody since 14.02.2023 having
clean antecedent. Learned counsel submits that the alleged



victim has been recovered. He also submits that petitioner and alleged victim both have entered into marriage about which information has been provided to the family members of both petitioner and informant who have accepted the same and it is due to this reason learned counsel for the informant is also present before this Court.

6. Learned counsel for the informant accepted that marriage solemnized.

7. Learned counsel for the State opposes the prayer for bail.

8. Upon specific query by this Court that where is marriage certificate ? Both the counsels submit that since marriage has been solemnized in the temple, therefore, no marriage certificate was issued but they assures that marriage certificate shall be produced before the Court as and when Court shall direct.

9. In the light of submissions made by learned counsel for the petitioner and learned counsel for the informant and considering the facts and circumstances of this case, let the petitioner above named, be granted **provisional bail** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of



learned Judicial Magistrate, First Class, Gaya in connection with Bodh Gaya P.S. Case No.881 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

10. The provisional bail granted to the petitioner shall be confirmed by the trial court where the case is pending after production of the marriage certificate of the petitioner and the alleged victim.

11. With this observation, the bail application stands disposed off.

(Dr. Anshuman, J.)

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