

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43571 of 2022**

Arising Out of PS. Case No.-40 Year-2022 Thana- GADHPURA District- Begusarai

1. Raman Kumar, Son of Chandan Singh @ Chandan Kumar, Resident of Village - Garhpura, P.s.- Garhpura, Distt.- Begusarai.
2. Chandan Singh @ Chandan Kumar, Son of Jay Kumar @ Ajay Singh, Resident of Village - Garhpura, P.s.- Garhpura, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Parmod Kumar, Advocate

For the Opposite Party/s : Mr. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

3      25-01-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

Let the defect (s), as pointed out by the office, be  
removed within a period of four weeks.

In the present case, the petitioners seek bail in  
connection with Gadhpura P.S. Case No. 40 of 2022 registered  
for the alleged offences under Sections 363, 366A and 34 of the  
Indian Penal Code.

As per prosecution case, the informant alleged that the  
petitioner no.1 enticed away his daughter with intention to  
marry her and petitioner no.2 helped him in his deed.

The learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. Statement of the victim girl recorded under Section 164 Cr.P.C. and her age was assessed to be 19 years and she has also stated that her age to be 19 years and further stated that she went to Kolkata with petitioner no.1, Raman Kumar and stayed there for 5-6 days and when she came to know about case filed against the petitioners and his family members, she returned to her place by train. Learned counsel further submits that it is a case of love affair between the girl and petitioner no.1, Raman Kumar. Now the matter has been compromised between the parties. Learned counsel further submits that the FIR has been registered after lapse of five days for which there is no explanation. Charge-sheet has been submitted in this case and the petitioners are in custody since 14.05.2022.

Learned APP opposes the prayer for bail submitting that the statement of the victim girl was recorded under Section 161 Cr.P.C., wherein she has named the petitioners and further alleged that her marriage was forcibly solemnized with petitioner no.1, Raman Kumar.

Perused the records.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



statement of victim girl recorded under Section 164 Cr.P.C. along with her age and further considering the period of custody of the petitioners along with submission of charge-sheet against them, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of Court of learned Additional Chief Judicial Magistrate-Vth, Begusarai in connection with Gadhpura P.S. Case No. 40 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

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