

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44491 of 2023

Arising Out of PS. Case No.-47 Year-2023 Thana- RAJGIR District- Nalanda

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1. Awdhesh Kumar Son Of Late Nasiw Lal Resident Of Mohalla - Bus Stand, Badi Milki, P.S.- Rajgir, District - Nalanda.
 2. Saurav Kumar Son Of Awdhesh Kumar Resident Of Mohalla - Bus Stand, Badi Milki, P.S.- Rajgir, District - Nalanda.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Gajendra Kumar Singh
For the Opposite Party/s :	Mr. Pradeep Narain Kumar
	Mr. Anil Kumar Singh
	Mr. Satyendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-07-2023 1. Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 366(A) of the Indian Penal Code.
3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that his minor sister aged about 16 years was kidnapped by Saurav Kumar (petitioner no.2) in connivance with his relatives.
4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is



next submitted that the victim and Saurav were in love and they eloped and thereafter, performed marriage. It is also submitted that the victim, on the date of occurrence, was a major as her date of birth is 15.05.2005 as per her admit card of matriculation. It is further submitted that the date of birth of the victim recorded on her Aadhar Card is 15.05.2003. It is next submitted that on coming to know that a case has been instituted the victim came back and got her statement recorded under Section 164 of the Cr.PC., wherein she did not support the case of the prosecution, but still she was handed over to her mother. It is next submitted that the victim again fled and came to the petitioner no.2 and is presently staying with her.

5. Learned A.P.P. along with learned counsel for the informant opposes the anticipatory bail application, but then the learned counsel for the informant fairly submits on the basis of instruction that the victim, after coming back, again fled from her home and she is not staying with her parents.

6. 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, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Rajgir P. S. Case No.47 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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