

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46076 of 2023

Arising Out of PS. Case No.-209 Year-2016 Thana- BIDUPUR District- Vaishali

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Rahul Kumar Son of Sanjay Rai Resident of village - Lawapur, P.S. -
Mahanar, Distt. - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Bidupur P.S. Case No. 209 of 2016, registered on 26.07.2016, for the alleged offence under Sections 363, 366(A) of the Indian Penal Code.

03. As per prosecution case, the petitioner enticed away the sister of the informant with the help of other co-accused persons.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The victim girl is major and the petitioner and the victim have solemnized marriage and the victim has not supported the prosecution case



in her statement recorded under Section 164 of the Cr.P.C. Later on, the matter has been compromised between the parties and a joint compromise petition has been filed before the learned court below. Learned counsel further submits that in the changed circumstance, the informant of the case has become the *pairavikar* of the petitioner has deposed the affidavit on his behalf.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that the marriage of the petitioner has been solemnized with the victim girl who is said to be a major, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur/concerned court in connection with Bidupur P.S. Case No. 209 of 2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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