

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46557 of 2022

Arising Out of PS. Case No.-92 Year-2022 Thana- SAUR BAZAR District- Saharsa

ROUSHAN KUMAR SON OF BIPIN PRASAD YADAV R/O VILLAGE-
PIPARPATTA, WARD NO. 10, POST- MALIYA, P.S.- MADHEPURA
(BHARRAHI O.P.), DIST.- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Raja Surendra Mohan Adv
For the Opposite Party/s	:	Mr.Kumar Veerendra Narayan APP
For the Informant	:	Mr.Anant Kumar Adv

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 09-02-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case

registered for the offences punishable u/s 365 of the Indian

Penal Code.

As per the prosecution case, the informant's son was

abducted by the co-accused Ajay Yadav and was forcibly

married to the daughter of one Bipin Yadav on the gun point.

Learned counsel for the petitioner has submitted that

the petitioner has falsely been implicated in this case. The



victim Sonu Abhishek and the daughter of the co-accused Bipin Yadav namely Rupa Kumari fell in love and their love affair was in the knowledge of the family members of both the parties and the alleged marriage was performed by the victim in the presence of several villagers and the instant case was lodged due to land dispute and the petitioner is full brother of the Rupa Kumari. The petitioner is not involved with alleged abduction. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the victim in his statement recorded under Section 164 of the Cr.P.C. has stated that it is the petitioner who pointed the pistol on him and got his sister married to the victim forcibly.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Saharsa in connection with Saur Bazar P.S. Case No. 92 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure:-

1. The court below shall verify the criminal antecedent of the petitioner and at any stage, if it is found that



the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Chandra Prakash Singh, J)

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