

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48755 of 2022**

Arising Out of PS. Case No.-22 Year-2022 Thana- BABUBARHI District- Madhubani

PRABHASH KUMAR SINGH Son of Bhola Mahto Resident of village -
Parsa Tole, P.S.- Babubarhi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

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

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 01-05-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 341, 323, 363, 366A, 504/34 of the Indian Penal Code.

It is alleged that this petitioner alongwith other F.I.R. named co-accused persons kidnapped the minor daughter of the informant.

It is submitted on behalf of petitioner that the allegation, as alleged in the F.I.R., is absolutely absurd. Nobody has kidnapped or abducted the victim girl, rather, she has left her parent's house with her own sweat will with this petitioner and solemnized marriage with him and now, both are living together, as husband and wife. In support of the same, the victim has filed an application in the court of learned A.C.J.M.-I, Civil



Court, Madhubani (**Annexure – 2**) wherein she has denied the prosecution case and also disclosed her age, as 19 years. Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Madhubani in connection with Babubarhi P.S. Case No. 22 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that *one of the bailor would be wife (victim girl) of the petitioner.*

(Prabhat Kumar Singh, J)

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