

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49771 of 2023

Arising Out of PS. Case No.-225 Year-2022 Thana- DANIYAWAN District- Patna

Pawan Kumar @ Pintu Kumar Son Of Late Vasudev Prasad R/O-Ward No. 12, Sarthua (Milk), P.S.-Shahjahanpur, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Narayan Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-10-2023 Heard learned counsel for the petitioner and Mr. Dilip Kumar No.I, learned A.P.P. for the State as well as learned counsel for the Informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 366/34 of the Indian Penal Code.

3. According to prosecution case, there is specific allegation of kidnapping of informant's daughter on false assurance of marriage is against co-accused Nitish Kumar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner has no criminal antecedent as mentioned in para-3 of this application. He further submits that petitioner is brother of co-accused namely, Nitish Kumar and there is no specific allegation of overt-act against the petitioner. Similarly situated co-accused, namely, Rampati Devi has been enlarged



on anticipatory bail by this Court vide order dated 29.08.2023 passed in Cr. Misc. No. 51013 of 2023 and another co-accused namely, Narendra Kumar @ Narendra Kumar Varma has been granted anticipatory bail by a co-ordinate Bench of this Hon'ble Court vide order dated 19.08.2023 passed in Cr. Misc. No.51814 of 2023.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Daniyawan P.S. Case No. 225 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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