

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52883 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- BUNIYAD GANJ District- Gaya

1. Sourav Kumar, S/O Radhekant Prasad, R/O Village- Alipur, Post- Alipur Manpur, P.S. Buniyadganj, Dist. Gaya
2. Ram Pawan Prasad @ Ram Pawan Sao, S/O Govind Prasad, R/O Village- Alipur, Post- Alipur Manpur, P.S. Buniyadganj, Dist. Gaya
3. Radhey Kant Prasad, S/O Ram Pawan Prasad @ Ram Pawan Sao, R/O Village- Alipur, Post- Alipur Manpur, P.S. Buniyadganj, Dist. Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Prasad Sinha, Advocate
For the Opposite Party/s : Mr.Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioners and
learned APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Buniyadganj P.S. Case No. 30 of 2023, registered for the alleged offences under Sections 363, 366, 504/34 of the Indian Penal Code.

3. As per prosecution case, 19 years old daughter of the informant went missing and the informant came to know that the petitioner no.1 has kidnapped her. When the informant went to inquire from the family of the petitioner



no.1, his father and grandfather abused and drove her out from their house.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The daughter of the informant and the petitioner no.1 both are major and they have solemnized marriage with their free will and consent and have been living peacefully. Statement of this fact has also been recorded by the daughter of the informant under Section 164 Cr.P.C. From the FIR, it is also apparent that there is no role of the petitioner nos. 2 and 3, who are father and grandfather of the petitioner no.1, respectively. There is much delay in lodging the FIR as for an occurrence of 11.01.2023, the FIR has been registered on 23.01.2023 and there is no explanation for such delay. The petitioners have no criminal antecedents.

5. Learned APP opposes the prayer for anticipatory bail made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the daughter of the informant and the petitioner no.1 both are major and they have



solemnized marriage with their free will and consent and have been living peacefully and further considering the absence of any allegation of wrong doing against the petitioners, let the petitioners, above named, in the event of their 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/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Gaya, in connection with Buniyadganj P.S. Case No. 30 of 2023, subject to the conditions mentioned in Section 438 (2) of the Cr.P.C. and the following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners 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)

V.K.Pandey/-

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