

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54254 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- BANGARA District- Samastipur

Abhishek Kumar, S/O Ramnaresh Bhagat @ Ram Naresh Chourasiya,
Resident Of Village- Kothia, Ward No.-03, P.S- N.H. Bangara, Distt.-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest
in connection with N.H. Bangara P.S. Case No. 23 of 2023,
registered for the offences under Sections 363 and 366 of the
Indian Penal Code.

3. As per prosecution case, the petitioner and other
co-accused persons kidnapped the daughter of the informant
with intention to marry her.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. Petitioner and the daughter of the informant have
voluntarily solemnized their marriage and they are living



together. The statement of the victim girl has also been recorded in which she has not made any allegation against the petitioner. There is no allegation with any sexual connotation. The FIR has been lodged after delay of two days and no explanation has been given in this regard. Learned counsel further submits that nothing of substance came up against the petitioner during investigation. The matter has also been compromised between the parties and a petition in this regard has been filed before the learned court below. The petitioner is having clean antecedent.

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

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the voluntary act of the victim lady, 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 bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Samastipur/ court concerned in connection with N.H. Bangara P.S. Case No. 23 of 2023, subject to the conditions as 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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