

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55806 of 2023

Arising Out of PS. Case No.-201 Year-2019 Thana- MADANPUR District- Aurangabad

Sagar Kumar Son Of Balram Paswan Resident Of Village - Ahiyapur, P.S. -
Haspura, District - Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 363 and 366/34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, petitioner is said to have kidnapped the informant's daughter with an intention to marry her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that on the date of alleged occurrence the informant's daughter had eloped with the petitioner with her own and lived with the petitioner at Delhi. He submits that the statement of the victim was recorded under Section 164 Cr.P.C.



in which she has not supported the prosecution case. He further submits that victim has denied the fact that she is a minor and learned Magistrate assessed the age of the victim 20 years. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the statement of the victim recorded under Section 164 Cr.P.C., let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Madanpur P.S. Case No.201/2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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