

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59883 of 2023

Arising Out of PS. Case No.-124 Year-2017 Thana- BHELDI District- Saran

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Dharmendra Kumar @ Dharmendra Kumar Ray, aged about 32 years,
Gender-Male, Son of Late Bhanu Ray, Resident of Village - Bheldi, Bartar,
P.S. - Garkha, District – Saran.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Alok Kumar Alok, Advocate

For the Opposite Party : Mr. Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-09-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Bheldi P.S. Case No. 124 of 2017 dated 13.08.2017 registered for the offence punishable under Sections 366(A)/34 of the I.P.C.

4. As per the prosecution case, the petitioner and other co-accused persons are alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the victim has been recovered and in her statement recorded under Section 164 of Cr.P.C. has stated that no one had kidnapped her and she has solemnized marriage with the petitioner out of her own will as stated in paragraph no. 10 of the bail application. Learned counsel for the petitioner has further submitted that the victim was not forced to have illicit relationship with another person. There is no statutory compliance of Sections 164A and 53A of Cr.P.C. The petitioner has clean antecedent.

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

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran, Chapra in connection with Bheldi P.S. Case No. 124 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with the condition-

(i) The petitioner is directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bonds are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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