

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60097 of 2023

Arising Out of PS. Case No.-306 Year-2022 Thana- SIDHWALIYA District- Gopalganj

Manish Kumar, Son of Manoj Rai, Resident of Village- Sakla PS- Sidhwalia
Dist- Gopalganj. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Sidhwalia P.S. Case No. 306 of 2022 registered for the offences punishable under Sections 363, 366-A/34 of the Indian Penal Code. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that the allegation against the petitioner is that he along with other accused persons kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the victim girl has stated in her 164 Cr.P.C. statement that she had left her house on her own and has solemnised marriage with the petitioner in temple and wants to live with him.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.



6. Having regard to the facts and circumstances of the case and the statement of the victim girl recorded under Section 164 Cr.P.C. in which she has stated that she had left her house on her own and has solemnised marriage with the petitioner in temple and now she wants to live with him, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Sidhwalia P.S. Case No. 306 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gopalganj, District-Gopalganj, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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