

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55997 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- BACHHWARA District- Begusarai

RAJU KUMAR son of Dileep Sah Resident of Village- Rudauli, P.S.-
Bachhwara, District- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-01-2023 Heard Mr. Ashutosh Kumar Pandey, learned counsel

for the petitioner and Mr. Bharat Bhushan, learned APP for the

State.

The petitioner apprehends his arrest in connection
with Bachhwara P.S. Case No. 47 of 2022 instituted under
Sections 366(A), 308, 34 of the IPC.

As per the prosecution story, the informant alleged
that her minor daughter and niece had gone to worship at ‘Kali
Mandir’. The accused persons forcibly lifted them in Scorpio
vehicle. Subsequently, when they went to complain to their
family members, they were assaulted. Accordingly, the FIR was
lodged.

The girl subsequently returned and her first statement
was that she went on her own, subsequently, she made statement



under affidavit that she wanted to marry this person (petitioner) as his family member were trying to solemnise the marriage with a widower which she was not agreed to. Further, she went on her own. However, considering the fact that she was minor, was sent to Child Welfare Committee, Begusarai.

Learned counsel for the petitioner submits that as would reflect from the affidavit, it was the girl who threatened the petitioner that his family members are going to marry her to a widower and if he does not support her, she will commit suicide and he was forced to help her as she was depressed.

Learned APP on the other hand opposes the prayer for anticipatory bail.

Taking into account the fact that the boy is only 19 years of age, he do not have criminal antecedent and as per the affidavit of the girl, although minor, she has narrated the story as also the circumstance that led to her leaving her parents' home, this Court is inclined to grant him privilege of anticipatory bail with conditions.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two



sureties of the like amount each in connection with Bachhwara P.S. Case No. 47 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Begusarai, subject to the conditions as laid down under Section 438(2) of the Cr.P.C with further conditions :

(i) the petitioner(s) shall be visiting the concerned police station for next six months every fortnight;

(ii) the petitioner(s) shall co-operate in the investigation and made himself available to the police as and when required.

(Rajiv Roy, J)

Ravi/Ajay
Singh/-

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