

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61250 of 2023

Arising Out of PS. Case No.-140 Year-2022 Thana- ATHMALGOLA District- Patna

NIRAJ KUMAR S/o- ASHOK KUMAR @ ASHOK LAHERI Village-
Sabnima Ps- Athmalgola Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-10-2023 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail,
arises out of Athmalgola Police Station Case No. 140 of
2022, dated 22.05.2022, disclosing offences under Sections
363, 366A, 504, 506 and 34 of the Indian Penal Code.
3. As per the First Information Report, the
informant has alleged that her minor daughter had gone for
attending coaching classes on 18.05.2022 in the afternoon
but she did not return till late evening. On 19.05.2022, she
lodged Sanha in the police station. Later on, she got to
know that one Sonu Kumar along with the petitioner and
other accused persons, under a conspiracy, has abducted the
daughter of the informant.



4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to village politics. He further submits that the victim girl was recovered and her statement under Section 164 Cr.P.C. has been recorded in which she has stated that she has voluntarily performed marriage with the co-accused Sonu Kumar. The statement under Section 164 Cr.P.C. is reproduced in the impugned order.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the statement of the victim girl recorded under Section 164 Cr.P.C., I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, Niraj Kumar, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Barh, Patna, in connection with Athmalgola Police Station Case No. 140 of 2022, subject to the condition laid down under Section 438



(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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