

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57297 of 2022

Arising Out of PS. Case No.-373 Year-2022 Thana- SARAIYA District- Muzaffarpur

BHOLA KUMAR SON OF TULSI RAM R/O VILLAGE- KOIRIYA
NIZAMAT, P.S.- PAROO, DISTT.- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar, Advocate

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-01-2023 Heard Mr. Raju Kumar, learned counsel for the
petitioner and the State.

The petitioner is apprehending arrest in connection with Saraiya P.S. Case No. 373 of 2022 under sections 363, 366A/34 of the Indian Penal Code.

As per the prosecution story, the informant alleged kidnapping of his minor daughter by the accused persons including the petitioner herein.

Learned counsel for the petitioner submits that the boy and the girl solemnized the marriage and affidavit to this effect was also submitted and as such he deserves relief.

The learned APP on the other hand submits that a bare perusal of the learned Sessions Judge's order would show that under 164 of the Cr.P.C., the girl has made allegation against



this petitioner amongst the other.

Considering the aforesaid allegation against the petitioner, certainly this is not a fit case for extending the privilege of anticipatory bail to the petitioner which is accordingly rejected.

However, if he surrenders before the court concerned within four weeks from today and prefer bail petition, the learned Court shall take into account that he is a young boy, the Aadhar card shows that the girl to be a major and would dispose of it expeditiously without being prejudiced any observation made herein.

(Rajiv Roy, J)

Ravi/Ajay Singh

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