

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56917 of 2022

Arising Out of PS. Case No.-90 Year-2022 Thana- SITAMARHI District- Sitamarhi

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Dhananjay Kumar S/O Late Shivji Ray Resident Of Village- Khaprahiya,
P.S.- Parihar, District- Sitamarhi .

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 25-01-2023 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.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case

registered for the offences punishable u/s 363 and 366A read

with 34 of the Indian Penal Code.

As per the prosecution case, the petitioner and co-

accused person are alleged to have kidnapped the minor

daughter of the informant after enticing her.

Learned counsel for the petitioner has submitted that

the petitioner has falsely been implicated in this case. The



petitioner has no criminal antecedent as stated at para 3 of the bail petition. Learned counsel further submitted that the victim in her statement recorded u/s 164 of the Cr.P.C has not supported the prosecution case as per the impugned order dated 26.08.2022 and there is nothing in record which suggests that the victim was forced to have intercourse with another man, hence, no case u/s 366A is made out against the petitioner.

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

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/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Sitamarhi in connection with Sitamarhi P.S. Case No. 90 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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