

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64572 of 2023

Arising Out of PS. Case No.-590 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

Jyotish Kumar Son Of Pankaj Mandal Resident Of Village - Sonudih, ,P.S. -
Goradih, District – Bhagalpur. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar No.6, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-10-2023 Heard Mr. Raghunandan Kumar Singh, learned
counsel appearing on behalf of the petitioner and Mr. Md. Nazir
Ansari, learned APP for the State.

2. The petitioner seek pre-arrest bail in connection with
Jagdishpur (Goradih) P.S. Case No.590 of 2022 dated 01.12.2022
registered for the offence punishable under Sections 366(A) and
34 of the Indian Penal Code.

3. Prosecution story, in brief, is that the daughter of the
informant was allegedly kidnapped by the petitioner and other co-
accused.

4. Learned counsel appearing on behalf of the petitioner
submitted that the victim in her statement made under Section 164
Code of Criminal Procedure, has specifically stated that she
voluntarily eloped with the petitioner and solemnized marriage
with him as per her choice and they are living with each other on
their own free will. Learned counsel also submits that antecedent

of the petitioner is clean.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the statement of the victim girl made under Section 164 of Code of Criminal Procedure, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail subject to the verification of the statement of the victim made under Section 164 of the Code of Criminal Procedure, that the victim has married to the petitioner according to her free will.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur (Goradih) P.S. Case No.590 of 2022 dated 01.12.2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

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