

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68968 of 2023

Arising Out of PS. Case No.-129 Year-2023 Thana- DELHA District- Gaya

SUJIT PASWAN @ SUJEET KUMAR SON OF LATE SATRUDHAN
PASWAN RESIDENT OF VILLAGE - BADKI DELHA, VIJAY BIGHA,
P.S. - DELHA, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar
For the Opposite Party/s : Mr. Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 01-11-2023 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 Delha Police Station Case No. 129 of 2023, dated 19.04.2023, disclosing offences under Sections 363/366 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the daughter of the informant was forcibly abducted by the petitioner for the purpose of marriage.
4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case by the informant, who happens to be the mother of the victim and was not agreeing to the marriage proposal of



the petitioner and victim. The victim was major at the time of occurrence, which would be evident from Annexure-3 i.e. the birth certificate of the victim. He next submits that both the petitioner and victim have solemnized marriage and the victim is pregnant, which would be apparent from Annexure-2 i.e. the medical report of the victim. He further submits that the statement of the victim was recorded under Section 164 of the Code of Criminal Procedure, in which she has stated that she has voluntarily performed marriage with the petitioner and has not been abducted forcibly.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the victim was major at the time of occurrence and in the statement, recorded under Section 164 of the Code of Criminal Procedure, she has said nothing against the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, 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 Judicial Magistrate 1st Class, Gaya, in connection with Delha Police Station Case No. 129 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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