

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63510 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- NAYAGAON District- Begusarai

1. NUTAN DEVI W/o Dilip Paswan R/o Village- Safapur, P.S. Nayagaon, Distt- Begusarai.
2. MALBHOG DEVI @ MALBHOGIA DEVI W/o Ram Bachan Paswan R/o Village- Safapur, P.S. Nayagaon, Distt- Begusarai.
3. DILIP PASWAN S/o Ram Bachan Paswan R/o Village- Safapur, P.S. Nayagaon, Distt- Begusarai.
4. NITISH KUMAR S/o Dilip Paswan R/o Village- Safapur, P.S. Nayagaon, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Shubhesh Pandey, Advocate
For the State	:	Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Nayagaown P.S. Case No.12 of 2022, registered for the offence punishable under Section 366(A) of the Indian Penal Code.

The petitioners are said to have kidnapped the granddaughter of the informant for the purpose of marriage.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the occurrence took place on 09.02.2022, but the FIR was



lodged on 27.02.2022, after eighteen days of the occurrence without giving any explanation which creates a serious doubt on the veracity of the prosecution case. It is also submitted that the specific allegation of kidnapping the victim girl is against co-accused, Nishal Kumar @ Chhotu Kumar.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners by submitting that the victim girl has supported the prosecution case in her statement recorded under Section 164 Cr.P.C.

Considering the facts that victim girl is minor and she has supported the prosecution case in her statement recorded under Section 164 Cr.P.C., I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioners is hereby rejected.

However, if petitioners surrender before the learned court below within a period of six weeks from today and pray for regular bail, the learned court below shall consider the prayer for regular bail of the petitioners preferably on the same day without being prejudiced by this order of rejection.

(Anjani Kumar Sharan, J)

S.KUMAR/-

U		T	
---	--	---	--

