

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64347 of 2022

Arising Out of PS. Case No.-588 Year-2022 Thana- ARARIA District- Araria

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MOHAN DAS @ MOHAN LAL DAS S/O SRI MUNSHI DAS Resident of
village- Prabhat Colony, P.S.- K. Hat, District- Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in connection
with Araria (Bairgachhi) P.S. Case No. 588 of 2022 for the
offence registered under Sections 363, 366(A) and 34 of the
Indian Penal Code.

As per the prosecution story, the informant alleged
that his minor daughter went to attend the nature's call but
become traceless. Later, he came to know that the petitioner and
other co-accused persons had kidnapped her daughter.
Accordingly, the FIR.

Subsequently, the victim girl appeared and made
deposition under Section 164 of the Cr.P.C. in which she
claimed that she being 18 years of age, was in love with the



present petitioner. She deposed that earlier also, she had tried to escape but on the assurance of the family members that once she attains the majorhood, the marriage will be solemnized she returned. As her family members chose to look the other way, she again escaped and later married the present petitioner.

Considering the deposition made by the victim girl in which she has also claimed her to be 18 years, the petitioner has no criminal antecedent and ultimately, he has to face the trial, this Court is inclined to grant him privilege of bail.

Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Araria (Bairgachhi) P.S. Case No. 588 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

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