

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72444 of 2023

Arising Out of PS. Case No.-291 Year-2022 Thana- HASANPUR District- Samastipur

Amarjeet Rai, aged about 26 years, Gender-Male, Son of Ram Jagat Rai,
Resident of village - Patsharma, P.S.- Gaighat, District – Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Arvind Kumar, Advocate
For the Opposite Party : Mr. Satyendra Prasad, A.P.P.

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

ORAL ORDER

2 10-11-2023 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.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Hassanpur P.S. Case No. 291 of 2022 dated
31.12.2022, registered for the offences punishable under
Sections 363 and 366A of the I.P.C.

4. As per the prosecution case, the petitioner is alleged
to have kidnapped the minor daughter of the informant.

5. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has been falsely implicated in



this case. It is submitted by learned counsel for the petitioner that the occurrence took place on 15.12.2022 and the F.I.R. has been lodged on 31.12.2022 after a delay of 16 days and for such a long delay no explanation has been given by the prosecution and police has sent the same on 05.01.2023 before the learned court below for which police has also no explanation, so, the case seems to be doubtful. It is further submitted that the victim in her statement recorded under Section 161 of Cr.P.C. has stated that she went to Muzaffarpur via Samastipur with this petitioner as her parents wanted to marry her somewhere against her wishes but in her statement recorded under Section 164 Cr.P.C. she has stated that the petitioner enticed and kidnapped her and confined her in a room and after three and half months she has been left but no wrongful act has been done with her. Therefore, there are vast contradictions in the statements recorded under Sections 161 Cr.P.C., 164 Cr.P.C. and in the F.I.R. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

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

7. 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/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Rosera, Samastipur in connection with Hassanpur P.S. Case No. 291 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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