

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1449 of 2023

Arising Out of PS. Case No.-181 Year-2022 Thana- NADI P.S. District- Patna

MUNNA KUMAR S/O Dwarika Singh R/O Village- Nizampur, P.S-
Kachidargah, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-05-2023 Heard the learned counsel for the petitioner and

the learned A.P.P. for the State.

This is an application for grant of anticipatory
bail in connection with Nadi PS case no. 181 of 2022,
registered for the offences punishable under Section 366(A) of
the Indian Penal Code.

The allegation is regarding one co-accused
person namely Tuntun Kumar having kidnapped the victim
girl, when she had gone to study, on the alleged date and time
of occurrence.

The learned counsel for the petitioner submits
that the petitioner is innocent, he has been falsely implicated in
the present case and is having a clean antecedent. The learned



counsel for the petitioner has further submitted that the said Tuntun Kumar has already solemnized marriage with the daughter of the informant, as would be apparent from the Certificate of Marriage dated 22.07.2022, annexed as Annexure-5 to the present petition. It is next submitted that neither the petitioner has been named in the FIR nor he has got any connection with the main accused i.e. Tuntun Kumar, hence he is not having any complicity in the matter. It is also submitted that the said Tuntun Kumar has been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 08.05.2023, passed in Cr. Misc. no. 6775 of 2023.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the main accused has already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court, apart from the fact that the daughter of the informant is stated to have already solemnized marriage before the Registrar of Marriage/ Marriage Officer,



Patna, as aforesaid, with the said Tuntun Kumar, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of J.M. 1st class, Patna City in connection with Nadi PS case no. 181 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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