

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.926 of 2023

Arising Out of PS. Case No.-3 Year-2020 Thana- KARPI District- Jehanabad

AKSHAY KUMAR Son of Sarjun Das Resident of Village- Pakardih, P.S.-
Wairganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 366A and 504/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, petitioner along with other co-accused persons kidnapped the informant's daughter Manisha Kumari aged about 17 years.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that no section under Section 366A of the I.P.C. is made out against the petitioners because the age of the victim girl was examined by medical board in which the age



of the victim is more than 18 years and below 21 years. He submits that the statement of the victim was recorded under Section 164 Cr.P.C. in which she has not supported the prosecution case. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Perused the statement of the victim recorded under Section 164 Cr.P.C.

Let the same be kept on the record.

Learned APP for the State opposes for prayer for bail.

Considering the statement of the victim recorded under Section 164 Cr.P.C., let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Karpi P.S. Case No.03/2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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