

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6389 of 2024

Arising Out of PS. Case No.-411 Year-2020 Thana- BHAGWAN BAZAR District- Saran

Badal Kumar Son of Murlidhar Gupta Resident of Professor Colony, P.S.-
Purnea, Distt.-Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-02-2024 Heard Mr. Ajit Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Gulnar Begum,

learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Bhagwan Bazar P.S. Case No.411 of 2020, registered under
Section 365 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
person named therein had kidnapped the daughter of the
informant with an intent to wrongfully confine her.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner has not committed the crime,
as alleged in the FIR the daughter of the informant eloped with
him and she performed marriage with the petitioner. Her
statement under Section 164 of the Code of Criminal Procedure

was recorded, in which she has denied the allegation made in the FIR.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submission made on behalf of the parties, as well as, statement of the victim recorded under Section 164 of the Code of Criminal Procedure, in which she has denied the allegation made in the FIR, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned A.C.J.M. 1st, Chapra in connection with Bhagwan Bazar P.S. Case No.411 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

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