

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10611 of 2024**

Arising Out of PS. Case No.-858 Year-2022 Thana- BRAHMPUR District- Buxar

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Shusil Tiwari @ Shushil Kumar Tiwari Son of Banshidhar Tiwari Resident of
Village-Bariswan, P.S.-Shahpur, Distt.-Bhojpur Petitioner/s
Versus

1. The State of Bihar
2. Ankesh Tiwari @ Ankesh Kumar Tiwari S/o Sri Awadhesh Tiwari Resident
of Village-Barki Nainijor, P.S.-Nainijor, Distt.-Buxar
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv
For the Opposite Party/s : Mr. Rajendra Singh, APP

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

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Brahmpur(Nainijor) P.S Case No. 858 of 2023 dated 01.05.2023 registered for the offence punishable u/s 363/366 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the informant's sister for the purpose of the marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner and the victim are major. It is further submitted that there was love affairs between



the informant's sister and the petitioner for one year and they solemnized marriage of their own consent as per the marriage certificate issued by the *Arya Samaj Jain Sewa Samiti*. It is further submitted that there is nothing on record showing that the victim was forced to have illicit intercourse with another person. The victim is not traceless. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer of 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/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Buxar in connection with Brahmpur(Nainijor) P.S Case No. 858 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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