

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14988 of 2024

Arising Out of PS. Case No.-340 Year-2023 Thana- TEKARI District- Gaya

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Saurabh Kumar S/O Sunil Swarnkar R/o VILLAGE - LAV, P.S.- TEKARI,
DISTRICT - GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyamal Prakash,Advocate

For the Opposite Party/s : Mrs.Suman Kumari Singh,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-03-2024 Heard Mr.Shyamal Prakash, learned counsel for the

petitioner and Mrs.Suman Kumari Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Tekari P.S.Case No.340 of 2023,FIR dated 28.05.2023 registered for the offences punishable under Sections 363,366(A),34 of IPC.

3. The prosecution case, in short, is that on 18.05.2023, accused persons including the petitioner are alleged to have kidnapped the minor daughter (the victim) aged about 17 years of the informant for the purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the



FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact the petitioner was in love with the victim and both have performed the marriage.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner has stated that he has performed the marriage with the victim but he has not stated anywhere in the anticipatory bail petition on which date and on which place he has performed the marriage with the victim and it has come during investigation that the victim was minor as her date of birth was mentioned in her Admit Card is 06.09.2005 and the victim was minor on the date of occurrence.

6. Considering the aforesaid facts, I am not inclined to grant privilege of anticipatory bail to the petitioner in connection with Tekari P.S.Case No.340 of 2023 pending in the court of learned Exclusive Special Judge POCSO-cum-Additional Sessions Judge-VII, Gaya.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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