

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18832 of 2024

Arising Out of PS. Case No.-38 Year-2023 Thana- SARAI District- Vaishali

Shivam Kumar @ Shivam Kumar Singh S/o Nawal Singh @ Nawal Kishor
Singh R/o Village- Saidpur patedha, P.S.- Sarai, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Hussain Majeed

For the Opposite Party/s : Mr. Binod Kumar

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

ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sarai P.S. Case No. 38 of 2023, dated 04.02.2023 for the offences punishable under Sections 363, 365, 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner, his father and other co-accused persons are alleged to have kidnapped the daughter of the informant with bad intention.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. Learned counsel further submitted that there was love affair between the victim girl and the



petitioner. In her statement recorded u/s 164 Cr.P.C. she has not supported the prosecution case and submitted that due to her own sweet will and volition she left the house and went to Indore with the petitioner and she got married with the petitioner in Arya Samaj Mandir on 20.02.2023. It is further submitted that the victim was not forced to have illicit intercourse with another person.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned court concerned, Vaishali at Hajipur in connection with Sarai P.S. Case No. 38 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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