

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18836 of 2024

Arising Out of PS. Case No.-397 Year-2022 Thana- CHANDI District- Nalanda

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1. Ashok Paswan son of Ramprit Paswan Village- Madhopur Police Station Chandi District nalanda
 2. Archana Kumari wife of Sidarth Kumar Village- Sonash Ps- Mahkar Dist- Gaya, A/P- Village- Madhopur Ps- Chandi Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners have preferred this application for grant of anticipatory bail in connection with Chandi P.S. Case No. 397 of 2022, dated 28.09.2022 for the offences punishable under Sections 366A/34 of the Indian Penal Code.

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

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. The petitioner no. 1 is the father of the co-accused Bittu Kumar and Archana



Kumari (petitioner no. 2). There is nothing on record to show that victim was forced to have illicit intercourse with another person. There was love affair between the co-accused Bittu kumar and the victim girl. She had gone with Bittu Kumar to Tamil Nadu of her own sweet will.

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their 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 the learned court concerned, Hilsa, Nalanda in connection with Chandi P.S. Case No. 397 of 2022, 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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