

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18325 of 2024

Arising Out of PS. Case No.-68 Year-2022 Thana- HATHAURI District- Muzaffarpur

Ravi Shankar Kumar S/O Shyam Rai @ Shyam Kumar Yadav R/O Village-
Berai, P.S- Hathaudi, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2024 Heard Mr.Abhishek Kumar, learned counsel for
the petitioner and Mr.Manoj Kumar, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Hathaudi P.S.Case No.68 of 2022, FIR
dated 07.03.2022 registered for the offences punishable
under Sections 363, 366-A of the Indian Penal Code.

3. According to FIR, on 07.03.2022 at about 6.30
AM, when the minor daughter of informant was going to
attend coaching class, the accused Pandav Shrivastava and
this petitioner kidnapped her. The father of this petitioner
made phone call and informed that the petitioner has
kidnapped his daughter and also ensured the informant to



recover her within four days.

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. Further submits that in fact the petitioner was in love with the victim and they have performed the marriage and now they are living happily conjugal life and has blessed a son and he has also annexed the Aadhar Card of the victim which suggests that the date of birth of the victim is 01.01.2004 and on the date of occurrence, the victim was major.

5. Learned A.P.P. for the State, on other other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, the petitioner has clean antecedent and he has performed the marriage with the victim, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Muzaffarpur (East) in connection with Hathaudi P.S. Case No.68 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) One of the bailors should be the victim, namely, Aafiya Praveen.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall



take step for cancellation of bail bond of the petitioner.
However, the acceptance of bail bonds in terms of the
above-mentioned order shall not be delayed for purpose of
or in the name of verification.

(Rajesh Kumar Verma, J)

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