

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23855 of 2024

Arising Out of PS. Case No.-380 Year-2022 Thana- MAHUA District- Vaishali

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DHARMENDRA KUMAR S/O DINESH RAM R/O VILLAGE- KARIHAN
@ KARIHO, P.O- VISHANPUR BEJHA, P.S- MAHUA, P.S- MAHUA,
DISTT.- VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rupa Kumari, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

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

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Mahua P.S. Case No. 380 of 2022 dated 06.06.2022, registered
for the offences punishable u/s 363 and 365 read with section 34 of
the Indian Penal Code.

3. As per the prosecution case, the petitioner along with
other co-accused persons caught the informant and pushed her down
and kidnapped the informant's minor daughter on the point of
revolver and fled away.

4. Learned counsel for the petitioner has submitted that
the petitioner has falsely been implicated in this case. It is further
stated that there is a delay of 28 days in lodging the F.I.R. There is
love affair between the co-accused Pankaj Kumar and the victim girl.



It is further stated that the victim is aged about 18 years. The victim in her statement recorded under Section 164 Cr.P.C. has stated that she was not kidnapped by anyone. She herself went to Delhi on 08.05.2022 and solemnized marriage with Pankaj Kumar. Similarly situated co-accused has already been granted anticipatory bail by this court vide order dated 12.02.2024 passed in Cr. Misc. No. 1334 of 2024. 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 bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the nature of allegations leveled 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 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, Vaishali at Hajipur in connection with Mahua P.S. Case No. 380 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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