

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26902 of 2024

Arising Out of PS. Case No.-160 Year-2022 Thana- SIMRA District- West Champaran

Nageshwar Kewat S/o- Vridhi Chandra Kewat R/o- Village- Pachgawa, PS-
Semra, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Semra P.S. Case No. 160 of 2022 instituted under Sections
363, 366A, 341, 323, 504 and 34 of the Indian Penal Code.

3. As per the prosecution case, the minor daughter of
the informant was missing from the night of 13.11.2022 and the
informant came to know that the petitioner along with other co-
accused persons kidnapped her for the purpose of marriage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. The victim girl is a major and with her own will, she left
her house and solemnized marriage with the petitioner and from
their wedlock a child is also born. The victim is residing with



the petitioner with the permission of the Court. He further submits that the FIR had been lodged after one month of the alleged occurrence which creates doubt in the prosecution case. He also submits that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bagaha, West Champaran in connection with Semra P.S. Case No. 160 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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