

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 28039 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- PARWALPUR District- Nalanda

Harsh Kumar @ Harsh Raj @ Bobby S/o Mithlesh Prasad R/o Village-
Khirauti, P.S- Parwalpur, Distt.- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bipin Kumar, Advocate
For the Opposite Party : Mr. Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 04-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Parwalpur P.S. Case No. 06 of 2024 registered for the offences punishable under Sections 366(A) and 34 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, on 19.01.2024 informant and his family members went to sleep and when he woke up in the morning on 20.01.2024, he found that his daughter aged about 17 years was missing. It is alleged that he alongwith his family members searched her and during search he came to know that Harsh Raj abducted his daughter with the aid of other co-accused. The parents of Harsh Raj used to live in Haryana and they used to encourage his son for abducting



informant's daughter. The informant had gone to the house of Harsh Raj for searching his daughter but again she was not there and when he enquired about her daughter from the grandfather of Harsh Raj, he castigated and misbehaved badly with him and gave no response to his queries. It is further alleged that when he tried to enquire about her daughter from the father of Harsh Raj and his friend on mobile, they gave cold response to his questions. He tried to contact Harsh Raj on his mobile number which was found switched off. It is further alleged that her daughter took all the important documents with her including Aadhar Card, Bank passbook and her all educational certificates.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the victim has appeared in the police station and she has specifically stated that she was not kidnapped rather she had gone on her own volition with the petitioner and she wants to live with her husband. The victim in her statement under Section 164 Cr.P.C. has also stated that she had left her house on her own volition and had solemnized marriage with the petitioner at Patna where she was residing with him as husband and wife.



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

6. Having regard to the materials placed before this Court in form of the statement of the victim girl recorded under Section 164 Cr.P.C. in which she has stated that she had left her house on her own volition and had solemnized marriage with the petitioner at Patna where she was residing with him as husband and wife and she had appeared on her own in the police station where also her statement has been recorded and she has specifically stated that no one had kidnapped her and she wants to live with her husband, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Parwalpur P.S. Case No. 06 of 2024 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

Gaurav/Rishi-

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