

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31144 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- ARA NAGAR District- Bhojpur

VICKI KUMAR @ VIKI KUMAR SON OF TESH LAL THAKUR
RESIDENT OF VILLAGE - BARAH, P.S. - BIHTA, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra
For the State : Mr.Damodar Prasad Tiwary
For the informant : Mr. Shiv Prasad Gupta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 21-09-2024 1. Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Ara Town Police Station Case No. 66 of 2024. dated 27.01.2024, disclosing offence punishable under Section 366 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the petitioner abducted the daughter of the informant.
4. Learned Counsel for the petitioner submits that the victim girl is major and had love relationship with the petitioner. She is the sister of the sister-in-law (bhabhi) of the



petitioner. Pursuant to the marriage solemnized in a temple, an affidavit has been sworn by the petitioner as well as the victim girl. The petitioner is accepting the factum of marriage and accepts the victim girl as his wife for the rest of the life. However, on the pressure of the family members of the victim girl, the First Information Report has been lodged and the statements of the victim girl have been recorded under Sections 161 and 164 of the Code of Criminal Procedure, 1973, which are tutored.

5. Learned counsel for the informant submits that it has specifically been stated in the First Information Report that the petitioner kidnapped the daughter of the informant, took her to Arunachal Pradesh and solemnized marriage forcibly. He further submits that after the victim girl come back to Ara along with the petitioner, she went to her parental home and thereafter, her statements were recorded under Sections 161 and 164 of the Code of Criminal Procedure, 1973. The marriage of the victim girl was to be solemnized with some other boy, but the petitioner was instrumental in breaking the marriage of the victim girl by posting the photographs of the victim girl with the petitioner on the social platform.



6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact of the case in its totality and the materials available on record, including the affidavits etc. and the fact that the victim girl was major on the date of occurrence, I am inclined to grant the petitioner privilege of anticipatory bail, subject to the condition that the petitioner shall not share his joint photographs with the victim girl with anyone or post the same on the social platform.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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 Chief Judicial Magistrate, Bhojpur, at Ara, in connection with Ara Town Police Station Case No. 66 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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