

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31652 of 2024

Arising Out of PS. Case No.-2 Year-2023 Thana- DHANAHA District- West Champaran

Arvind Kumar Son of Indrajit Prasad R/o Village- Jangal Pachrukhiya, P.S.-
Kubersthan, Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-07-2024 Heard learned counsel for the petitioner and the
State.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under section 366 of the Indian Penal
Code.

3. As per the prosecution case, petitioner took away
informant's wife due to malicious intention.

4. Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. As a matter of fact informant used to
commit torture and cruelty on his wife/victim due to which she
left the house. The victim in course of investigation has stated
that she, at her own volition, left the house and boarded the train
due to torture and cruelty meted out by her husband/informant.



Victim is married and major lady and she never made any resistance either in the train or at anywhere on the way or in Gujrat. However, when petitioner refused to marry her, she returned to her parents and implicated the petitioner. F.I.R. has been lodged after inordinate delay of one month ten days without any explanation which renders the entire prosecution case doubtful. Petitioner claims clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class Bagaha, West Champaran, in Dhanaha Police Station Case No. 02/2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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