

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30299 of 2024

Arising Out of PS. Case No.-541 Year-2023 Thana- VAISHALI District- Vaishali

Prabhu Rai, aged about 45 years, Male, S/o- Late Ganga Rai, R/O Village-
Bhagwatpur, P.S.- Vaishali, Dist-Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nafisu Zzoha, Advocate
For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

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

ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Vaishali (Belsar O.P.) P.S. Case No. 541 of 2023 dated 11.12.2023 registered for the offences punishable under Sections 365 and 366/34 of the I.P.C.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have abducted the wife of the petitioner after their reception party. It is further alleged that gold ornaments of Rs. 3,00,000/- and Rs. 40,000/- in cash and bag were also found missing.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in



this case. It is further submitted that the victim has been recovered and her statement under Section 164 of the Cr.P.C. has been recorded in which she has stated that she called the co-accused Kunal Kumar Rai, who is the son of the petitioner on the alleged date of occurrence and went to Mumbai with him with her own will and performed marriage with him on 13.12.2023 as her marriage with the informant was performed without taking her consent and making undue pressure upon her. It is further submitted that the victim in 164 of the Cr.P.C., statement has stated that the petitioner has not involved in the alleged offence. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the petitioner and the co-persons have abducted the wife of the informant who is the minor.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation 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 anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like



amount each to the satisfaction of learned J.M. Ist, Vaishali at Hajipur in connection with Vaishali (Belsar O.P.) P.S. Case No. 541 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

