

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34832 of 2024

Arising Out of PS. Case No.-394 Year-2023 Thana- OBRA District- Aurangabad

Sumit Kumar @ Bhola Kumar Son of Gunja Chandravanshi R/o Village -
Sadipur Takeya, P.S.- Obra, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar

For the Opposite Party/s : Ms.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-08-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 363, 366A
and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 17-9-2023 at about 11:00 pm in the night, when
the minor daughter of the informant was sleeping on the roof,
the co-villager of the informant, i.e., Sahul Kumar along with
other accused persons kidnapped the minor daughter of the
informant with an intention to solemnize marriage.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case on the



basis of concocted story inasmuch as the victim girl was having love affairs with somebody and left her house with her boyfriend, but due to village politics, the petitioner has been implicated with other co-accused persons. It is next submitted that from perusal of allegation as alleged in the FIR, it would manifest that kidnapping had taken place on 17-9-2023 but on the very next day, the victim came back on her own and thereafter on 19-9-2023, the present FIR came to be instituted. It is also submitted that victim was not recovered by the police and her statement was recorded at the behest of her family members. It is also submitted that similarly situated co-accused, Sahul Kumar, has been granted the privilege of anticipatory bail by an order dated 24-1-2024 by a learned Co-ordinate Bench.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case



is pending/successor court in connection with Obra P.S. Case
No. 394 of 2023 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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