

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43171 of 2024

Arising Out of PS. Case No.-229 Year-2023 Thana- KALUAHI District- Madhubani

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Avinash Kumar Singh S/O Late Narendra Singh R/O Village Narar(West),
Ward no.5, P.S. Kaluahi, Distt-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bhavesh Kumar Sah, Advocate
		Ms. Kusum Rani, Advocate
For the State	:	Ms. Pushpa Sinha.1, A.P.P.
For the Informant	:	Mr. Shailendra Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-09-2024 Heard learned counsel for the petitioner, informant
and the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 341, 323, 363, 366(A),
506/34 of the Indian Penal Code.

3. Prosecution case, in brief, is that on 23.10.2023,
wife and minor daughter of informant went to Durga Temple but
her daughter did not return. During search, informant came to
know that co-accused Balram Singh along with his family
members had kidnapped minor daughter of informant for the
purpose of marriage.

4. Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R. and his name transpired
during course of investigation. As per the statement of victim,
recorded under Section 164 Cr.P.C., specific accusation of



kidnapping is against co-accused Balram Singh and so far this petitioner is concerned he is only alleged to have assisted co-accused Balram Singh. No specific role has been assigned to this petitioner. It is further submitted that similarly situated co-accused persons have already been granted anticipatory bail by this Hon'ble Court *vide* order dated 19.08.2024 passed in Cr. Misc. No. 41173 of 2024. Petitioner claims clean antecedent.

5. Learned counsel for the informant vehemently opposed the bail application and submitted that petitioner is named in the statement recorded under Section 164 Cr.P.C.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, 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, Madhubani in connection with Kaluahi P. S. Case No. 229 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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