

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48024 of 2023

Arising Out of PS. Case No.-150 Year-2023 Thana- MITHANPURA District- Muzaffarpur

GOLU KUMAR S/O GANESH PASWAN R/O Village- Kanhauli Bishundatt
(Harsu Choudhary Ke tola), P.S- Mithanpura, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Punam Shrivastava

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-02-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Mithanpura (Muzaffarpur) P.S. Case No. 150 of 2023, registered for the offences punishable under Sections 366(A)/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a young boy aged about 22 years and if he is sent to judicial custody in the nature of allegation as alleged in the F.I.R., his entire career would get spoil and chances are bright that he may come in contact with hardened criminals which will further hamper his future prospect. It is further submitted



that the informant alleges that when he woke up in the morning, he found his minor daughter missing and further came to know after search that Sonu Kumar along with his family members kidnapped her. Accordingly, he went to the house of Sonu Kumar and came to know that he too is missing. The learned counsel thus submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the thrust of the allegation of kidnapping is against Sonu Kumar but then it also manifests that Sonu and the victim were in love but later it appears that the love turns sour, it is further submitted that as per school certificate, the age of the victim is 17 year 10 months on the date of occurrence, as such, though she was a minor, but then she had reached the age of discretion, it is also submitted that the victim refused for medical examination. It is next submitted that as far as this petitioner is concerned, he is alleged to have participated in the occurrence with Sonu Kumar in kidnapping of the victim. It is also submitted that Sonu Kumar had moved this Court seeking anticipatory bail by filing Cr. Misc. No. 61538 of 2023 and the same was allowed by a learned co-ordinate bench by an order dated 13.10.2023. It is thus submitted that the case of the



petitioner is on a better footing.

4. Learned APP opposes the anticipatory bail application of the petitioner.

5. 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 Court below 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 Judicial Magistrate – Ist Class, Muzaffarpur (E,ast), where the case is pending/successor court in connection with Mithanpura (Muzaffarpur) P.S. Case No. 150 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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