

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55012 of 2024

Arising Out of PS. Case No.-7 Year-2017 Thana- UJIYARPUR District- Samastipur

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Ajay Kumar @ Ajay Kumar Singh Son Of Bhola Singh R/O- Vllage- Bela
Megh, P.S.- Ujiyarpur, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amarendra Kumar, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-09-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Ujiyarpur PS case no. 07 of 2017 dated 17.01.2017,
disclosing offences punishable under Section 366A/34 of the
Indian Penal Code.
3. The prosecution story, as per the First Information
Report, is that on 12.01.2017 at 10 pm, when the wife and
daughter of the informant came out of the house, petitioner
along with other accused persons abducted the daughter of the
informant.
4. Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case, inasmuch as



there was love affairs between the petitioner and victim girl namely Saroj Kumari and she had solemnized marriage with the petitioner in a temple at Bhagalpur. Learned counsel further submits that second F.I.R. bearing Ujiyarpur PS case No. 61 of 2017 dated 21.04.2017 was lodged by the father of the victim girl, alleging therein that the husband of the victim girl as well as her in-laws arrived at the residence of the informant and forcibly took away the daughter of the informant from the custody of the informant. Learned counsel further submits that the statement of the daughter of the informant, pursuant to the second FIR bearing Ujiyarpur PS case No. 61 of 2017, was recorded on 01.06.2017, which is Annexure-4 to this application and from perusal of the same, it would be evident that the victim girl has categorically stated that she has, on her own will, married with petitioner and she wants to live with the petitioner as his wife and wants to go to her matrimonial home. Learned counsel, referring to Annexure-5, submits that the police after thorough investigation, has submitted final form not sending the petitioner and others for trial, however, differing with the police report, learned Magistrate has taken cognizance against the petitioner. Co-accused Ravi Kishan has been granted anticipatory bail by this court in Cr. Misc. no. 71593 of 2019.

5. Regard being had to the submissions made on



behalf of the parties and taking into consideration the statement of the victim girl recorded under Section 164 Cr.P.C. and the fact that co-accused Ravi Kishan @ Ravi Kishan Raj, who helped in abduction of the victim girl, has already been granted bail by this Court vide order dated 26.11.2019. passed in Cr. Misc. No. 71593 of 2019, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Dalsinghsarai, Samastipur in connection with Ujiarpur PS case no. 07 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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