

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53935 of 2024

Arising Out of PS. Case No.-388 Year-2017 Thana- BARAUNI District- Begusarai

NAND KUMAR @ ARVIND KUMAR @ NANDU SON OF SUDHIR
KUNWAR RESIDENT OF VILLAGE - BARO - RAMPUR, P.S. -
BARAUNI (GADHARA O.P.), DISTRICT - BEGUSARAI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SUDHIR KUMAR RAY S/O BABU SAHEB RAY R/O VILLAGE- BARO
RAMPUR TOLA, P.S. - BARAUNI (GADHARA O.P.) , DIST-
BEGUSARAI

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Shubhesh Pandey, Advocate
For the State	:	Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-09-2024 Heard learned counsels for the parties.

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

3. As per prosecution case, this petitioner kidnapped the minor daughter of informant for the purpose of marriage.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner has falsely been implicated in this case. As a matter of fact, petitioner and victim were having love affair since long and they have decided to get married and both of them solemnized marriage and out of the wedlock, victim gave birth to five children in a span of seven years. It is further submitted that victim in her statement



recorded under Section 164 of the Cr.P.C. has denied the prosecution case and categorically stated that she herself married with this petitioner. The learned trial court has assessed the age of the victim as 21 years.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances and statement of the victim recorded under Section 164 of Cr.P.C., the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned C.J.M., Begusarai, in connection with Barauni P.S. Case No. 388 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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