

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57254 of 2024

Arising Out of PS. Case No.-135 Year-2023 Thana- ANTICHAK District- Bhagalpur

Manish Kumar S/O Mahesh Pandit R/O Village- Sangeet Baitha, P.S-
Antichak, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Antichak P.S. Case No. 135 of 2023, registered on 19.12.2023, for the alleged offence under Sections 366(A) and 120(B) of the Indian Penal Code.

03. As per prosecution case, the minor daughter of the informant was taken away by the petitioner with intention of solemnizing marriage with her.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. It is apparent from the FIR that the daughter of the informant was aged about 17 ½ years and she was on verge of majority. The statement of the victim girl was recorded under



Section 164 Cr.P.C. wherein she stated that she left her home and went to Delhi where she solemnized marriage with the petitioner on 05.04.2024. Prior to that, she solemnized marriage with petitioner on 16.12.2023 at a temple in Sulatanganj. Learned counsel further submits that there was love affair of the petitioner and the victim and she left her house on her own and started living with the petitioner. For this reason, no offence under Section 366(A) of IPC is made against the petitioner. The petitioner is aged about 22 years and he is having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the tender age of the petitioner and also considering the voluntary act of the daughter of the informant and her age when a girl develops sufficient maturity, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in



connection with Antichak P.S. Case No. 135 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Ashish/-

U		T	
---	--	---	--

