

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54289 of 2024

Arising Out of PS. Case No.-304 Year-2019 Thana- CHIRAIYA District- East Champaran

PAWAN KUMAR YADAV @ PAWAN KUMAR S/O PANCHANAND RAI
R/O VILLAGE- HARIHARA, P.S- SHIKARGANJ, DIST.- EAST
CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Radha Mohan Singh, Advocate Mr. Satyam Kumar, Advocate
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary, APP
For the informant	:	Mr. Ajay Kumar Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 26-10-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Chiraiya P.S. Case no.304 of 2019 registered for the offence punishable under sections 363, 366A and 34 of the Indian Penal Code.

3. As per allegation in the F.I.R, the informant states that his minor daughter was kidnapped by the accused persons including the petitioner herein.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The daughter of the informant is not minor and she went with the petitioner out of her own free will. She returned and her statement was recorded under section 164 Cr.P.C. wherein she



has not supported the prosecution case. She is living with the petitioner and having a child out of the wedlock.

5. The application for bail is opposed by learned APP for the State.

6. Learned counsel for the informant submits that it is correct that the parties have arrived at a settlement and the daughter of the informant and the petitioner are living together.

7. Having heard learned counsel for the parties and having perused the material on record, the allegation against the petitioner in the FIR, the contents of the statement of the daughter of the informant recorded under section 164 Cr.P.C. , the undisputed fact that the petitioner and the daughter of the informant are living together and having solemnized marriage and the age of the daughter of the informant as of today being over 22 years, the provisional bail granted to the petitioner vide order dated 6.9.2024 in connection with Chiraiya P.S. Case no.304 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari, is hereby confirmed.

(Partha Sarthy, J)

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