

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55201 of 2024

Arising Out of PS. Case No.-283 Year-2022 Thana- MANJHAGARH District- Gopalganj

Pawan Kumar @ Pawan Kumar Gupta @ Pawan Kumar Prasad S/o- Late
Yogendra Prasad Village- Baluhahi Bazar Ps- Manjhagarh Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmveer Jha

For the Opposite Party/s : Mr.Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 323, 379 and 366 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of two cases, but both the cases
were instituted by the instant informant. It is next submitted that
the informant alleges that petitioner along with co-accused
enticed his minor daughter aged about 17 years for the purposes
of marriage and kidnapped her on 01.03.2021.

4. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant. It is next submitted that the date of occurrence is



01.03.2021, but a complaint case came to be filed on 25.03.2021 i.e. after 24 days of the occurrence based on which, the instant FIR came to be instituted on 14.09.2022. It is next submitted that during CORONA period the informant married his daughter at Thawe Temple and she is leading a peaceful conjugal life. Further, the victim also attended the marriage of his brother in the Year 2023, but then, police despite being aware of the said fact is harassing the petitioner.

5. Learned A.P.P. Sri Chandra Bhushan Prasad opposes the anticipatory bail application and submits that though specific pleading has been made that victim was married during the period of CORONA at Thawe Temple, but the name of the husband of the victim is not disclosed nor the date of the marriage of the brother of the victim is disclosed in the anticipatory bail application rather it is pleaded that he was married in the Year 2023.

6. 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount



each to the satisfaction of the learned C.J.M., Gopalganj in connection with Manjhagarh P. S. Case No.283 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that the informant shall be at liberty to file an application seeking cancellation of anticipatory bail granted to the petitioner, in the event, if the victim has not been married as pleaded in the anticipatory bail application or has not been recovered till date.

(Satyavrat Verma, J)

vikash/-

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

