

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56359 of 2024

Arising Out of PS. Case No.-264 Year-2023 Thana- HATHUA District- Gopalganj

Rakesh Yadav @ Rakesh Kumar Yadav Son of Raja Yadav @ Raj Yadav
Resident of Village - Chhota Koirauli, P.S.- Hathua, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Ms. Tooba Hera, Advocate Mr. Thakur Brajesh Singh, Advocate
For the State	:	Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-09-2024 Heard learned counsels for the parties.

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

3. As per prosecution case, this petitioner, along with other accused persons named in the F.I.R., kidnapped the daughter of informant and another co-villager for the purpose of marriage.

4. It is submitted by learned counsel appearing on behalf of the petitioner that F.I.R. has been lodged after delay of 7 days. It is further submitted that during pendency of this case, informant has filed an affidavit before the learned C.J.M.,



Gopalganj, stating therein that her daughter and another victim went to Delhi on their own wish and they have not been kidnapped. The victim in her statement recorded under Section 164 of the Cr.P.C. has denied the prosecution case and categorically stated that she, along with this petitioner, went to Delhi and stayed there for few days and both of them solemnized marriage in a temple and established physical relations. Petitioner claims clean antecedents.

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

6. Considering the aforesaid facts and circumstances, statement of victim recorded under Section 164 of the Cr.P.C. and clean antecedents of the petitioner, 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 Chief Judicial Magistrate X, Gopalganj, in connection with Hathua P.S. Case No. 264 of



2023, subject to condition as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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