

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62722 of 2023

Arising Out of PS. Case No.-169 Year-2022 Thana- BIRAUL District- Darbhanga

1. Arvind Paswan S/O Lalo Paswan
2. Arun Kumar Mandal @ Arun Kumar S/O Dahaur Mandal
3. Sandeep Mukhiya S/O Parmeshwar Mukhiya
All R/O Village- Pataniya Tole- Mogiya, Ps. Biraul, Dist. Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha, Advocate
For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-02-2024 Heard Mr.Girish Chandra Jha, learned counsel for the petitioners and Mr.Damodar Prasad Tiwary, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Biraul P.S.Case No.169 of 2022, FIR dated 17.05.2022 registered for the offences punishable under Sections 363,366(A),34 of IPC.

3. The prosecution case, in short, is that on 16.05.2022, accused persons including the petitioners are alleged to have kidnapped the minor daughter (the victim) aged about 16 years for the purpose of marriage.

4. Learned counsel for the petitioners submits that the



petitioners have clean antecedent and they have falsely been implicated in the present case merely on the basis of suspicion. Further submits that in fact the victim was in love with co-accused, namely, Rahul Kumar and petitioners have no concern at all with the co-accused person or the victim girl.

5. Learned A.P.P. for the State, on the other hand, on the basis of of the material available on the record and the case diary, has vehemently opposed the prayer for anticipatory bail of the petitioners and submits that it has come during investigation that the petitioners were involved in the present crime in question and number of independent witnesses have stated that the petitioners are involved in the present occurrence and they alongwith co-accused person, namely, Rahul Kumar have participated for abducting the daughter of the informant.

6. Considering the aforesaid facts, I am not inclined to grant the privilege of anticipatory bail to the petitioners in connection with Biraul P.S.Case No.169 of 2022 pending in the court of learned A.C.J.M.-1st, Biraul, Darbhanga.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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