

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58060 of 2024

Arising Out of PS. Case No.-122 Year-2023 Thana- HARLAKHI District- Madhubani

Jitendra Kumar Thakur @ Jitendra Thakur S/O Ganesh Thakur Resident of
Village - Gangaur, P.S - Harlakhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Harlakhi P.S. Case No.122 of 2023 registered for the offences punishable under Sections 366(A), 341, 323, 504/34 of the Indian Penal Code. He has got one criminal antecedent.

3. As per the prosecution story, on 07.05.2023, the minor daughter of the informant went to coaching centre to study, but she did not reach there. Around 2:30PM teacher called the informant and told that her daughter did not come to the coaching centre. The informant started searching her daughter and during the course of search, the informant came to know that the petitioner abducted her daughter for the purpose



of marriage. On 08.05.2023 daughter of the informant caller on her mobile and told that she got married to the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the statement of the victim was recorded under Section 164 Cr.P.C. wherein the victim has stated her age as 20 years and made a further statement that she had went with the petitioner and has not alleged any harassment at the hands of the petitioner as also the victim girl had married to the petitioner and now, she has a son from the said wedlock.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submissions that the victim girl returned and made a statement under Section 164 Cr.P.C. in which she disclosed her age as 20 years and made a further statement that she had went with the petitioner and no allegation of harassment has been made against him, the victim girl had married to the petitioner and now, she has a son from the said wedlock, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Harlaxhi P.S. Case No.122 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees



Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned court of Judicial Magistrate 1st Class, benipatti, Madhubani, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

durgesh/-

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

