

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63166 of 2023

Arising Out of PS. Case No.-59 Year-2017 Thana- ALAMGANJ District- Patna

Abhishek Kumar, age 26 years (Male), Son Of Kishu Rajak @ Kishun Rajak,
Resident Of Neem Ki Bhatti, P.S. - Alamganj, District – Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nityanand Kumar, Advocate
For the Opposite Party : Mr. Braj Kishore Pd.(App)

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 17-02-2024 This matter has been listed under the heading “For
Orders (on office notes)”.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner is apprehending his arrest in
connection with Alamganj P.S. Case No. 59 of 2017 dated
16.02.2017 registered for the offences punishable under
Sections 363 and 366A of the I.P.C.

4. As per prosecution case, the minor daughter of the
informant went to coaching but she did not return. The
informant came to know from the mohalla people that the
petitioner enticed her daughter and took her away.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has been falsely been implicated in the present case. It is submitted that as per the medical examination report held under the chairmanship of the Civil Surgeon, Bhojpur at Ara on 19.05.2017, the victim was found to be a major girl and she is aged about 19 years old. It is submitted that the statement of the victim has been recorded under Section 164 Cr.P.C. in which she has stated that she alongwith her boyfriend left her house on her own will and solemnized marriage with the petitioner and she gave birth to two children. There was love affair between the petitioner and the victim. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Patna City, Patna in connection with Alamganj P.S. Case No. 59 of 2017, subject to the



condition as laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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