

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64674 of 2024

Arising Out of PS. Case No.-165 Year-2019 Thana- DHARHARA District- Munger

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Ankit Kumar @ Raja @ Ankit Yadav Son of Sri Mithilesh Yadav, Resident of
Village - Mangadh, P.S.- Dharahara, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prakash Mahto, Advocate

For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-10-2024 Heard learned counsel appearing on behalf of the

petitioner and the learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with

Dharahara P.S.Case No.165 of 2019 registered for the offences

punishable under Sections 363 and 365 of the Indian Penal

Code.

3. As per the allegation made in the FIR, the minor

daughter of the informant was kidnapped by the petitioner with

an intention to get married with her.

4. Learned counsel appearing on behalf of the

petitioner submitted that as on date, the victim is major and in

her statement recorded under Section 164 Cr.P.C., she has stated

that she has already solemnized marriage with the petitioner and

out of the wedlock, they have been blessed with a male child



and they are living together happily.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of allegation made in the FIR and the statement of the victim recorded under Section 164 Cr.P.C. as has been recorded in the impugned order by the learned district court and considering the fact that the victim has not supported the FIR and she has stated that she on her own will has got married with the petitioner and as on date she is major and they have been blessed with a male child. As such, the petitioner has made out a case to be released on pre-arrest bail.

7. The petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sri Vishwajeet Kumar, Judicial Magistrate, 1st class, Munger/concerned court, in connection with Dharahara P.S.Case No.165 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.



8. The learned district court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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