

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64565 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- PHENHARA District- East Champaran

Ankesh Kumar Son of Harendra Rai @ Harendra Ray R/o village - Ratanwa,
P.S.- Fenhara, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chunchun Raut S/o Late Magar Raut R/o Villlage- Kalupakad, P.S.-
Phenhara, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Advocate

For the Opposite Party/s : Ms.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 21-10-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Phenhara PS case no. 13 of 2024, disclosing
offences punishable under Sections 363, 366A of the Indian
Penal Code.
3. The prosecution story, as per the First Information
Report, is that the informant's minor daughter aged about 17
years left her house in the afternoon on 13.01.2024 for
withdrawing money and when she did not return till evening,
the informant's wife enquired about the victim. Subsequently,
she received a call by her victim daughter, who disclosed that
she has been kidnapped by the petitioner.



4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case due to oblique motive. Learned counsel further submits that the petitioner is aged about 19 years and the victim girl is aged about 17 years and both were having love relation for the last one year. He next submits that the statement of the victim girl was recorded under Sections 161 and 164 of Code of Criminal Procedure, in which, she has stated that she left her house on her free will and has solemnized marriage with the petitioner in a temple at Muzaffarpur.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the statement of the victim girl recorded under Sections 161 and 164 of Code of Criminal Procedure, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released 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 7th Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari in



connection with Fenhara PS case no. 13 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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