

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66886 of 2024

Arising Out of PS. Case No.-57 Year-2024 Thana- TEKARI District- Gaya

1. Om Prakash Pandit Son of Chhatrapati Vagat @ Chhatrapati Pandit Resident of Village- Jalapur, P.S. Tekari, District- Gaya
2. Dharmendra Pandit Son of Chhatrapati Vagat @ Chhatrapati Pandit Resident of Village- Jalapur, P.S. Tekari, District- Gaya
3. Mritunjay Kumar @ Mritunjay Pandit Son of Dharmendra Pandit Resident of Village- Jalapur, P.S. Tekari, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-10-2024 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Tekari P.S. Case No. 57 of 2024 dated 27.01.2024 registered under Sections 363, 365, 366(A) of the I.P.C.

3. As per the First Information Report the daughter of the informant Priyanka Kumari, aged about 16 years, has allegedly been kidnapped by the petitioners for the purpose of marriage. It has further been alleged that two months before his daughter was also kidnapped by the petitioners and other accused persons for which Tekari (Mau O.P.) P.S. Case No. 522 / 2023 was lodged. The Police recovered the informant's daughter and had



handed over to the informant, but she has again been kidnapped by the petitioners.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case on the basis of a concocted story. In fact, the daughter of the informant and the son of petitioner no. 1 namely Shashi Kumar have love relationship and they have performed marriage. Learned counsel further submits that in the First Information Report lodged by the informant in which the son of the petitioner no. 1 Shashi Kumar was also an accused bearing Tekari (Mau O.P.) P.S. Case No. 522 / 2023 the age of the informant's daughter was disclosed by the informant as 18 years whereas, in the subsequent F.I.R. i.e. the present F.I.R. her age has been declared as 16 years. The girl and boy both are major and they have performed marriage on their own free will. The Police investigated Tekari (Mau O.P.) P.S. Case No. 522 of 2023 and submitted Final Form not sending the petitioners for trial however, after submission of Final Form the present F.I.R. has been lodged against the petitioners in order to harass them. The petitioner no. 1 is the father of Shashi Kumar and the petitioner nos. 2 & 3 are the co-villagers.

5. Regard being had to the submission made by the parties,



taking into consideration the fact that in the first F.I.R. the Police after investigation submitted Final Form not sending the petitioners for trial and further the age of the informant's daughter was disclosed as 18 years, whereas, in the present F.I.R. it has been disclosed as 16 years, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VI, Gaya in connection with Tekari P.S. Case No. 57 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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