

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70704 of 2024

Arising Out of PS. Case No.-104 Year-2019 Thana- LAUKAHI District- Madhubani

Manish Kumar @ Manish Kumar Chaupal Son of Paijun Chaupal Resident of
Village - Lakhua, P.S. - Laukahi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pintu Kumar Patel, Advocate
For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2024 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

2. The petitioner apprehends his arrest in
connection with Laukahi P.S. Case No. 104 of 2019
(G.R. No. 846/2019), registered for the offences
punishable under Sections 366(A), 341, 323, 504/34
of the Indian Penal Code.

3. The case of the prosecution, in brief, is
that in the night of 23.05.2019, when the informant
and his family members were sleeping, two persons
had arrived on a motorcycle and kidnapped the
minor daughter of the informant, who were
identified as the petitioner and one Ajay Mandal,
however, they managed to flee away.



4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has referred to the statement made by the victim girl under Section 164 Cr.P.C. before the learned Magistrate to submit that the victim girl is a major and she has categorically stated therein that she had called the petitioner, on the alleged date and time of occurrence, whereafter they had gone to Maharashtra and solemnized marriage, whereupon a baby girl has also been born out of the wedlock and her father has filed a false case.

5. *Per contra*, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the victim girl is a major and had voluntarily fled



away with the petitioner and solemnized marriage, whereafter a baby girl has also been born out of the wedlock, as is borne out from the statement made by the victim girl under Section 164 Cr.P.C. before the learned Magistrate, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jhanjharapur, Madhubani in connection with Laukahi P.S. Case No. 104 of 2019 (G.R. No. 846 of 2019), subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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