

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70479 of 2024

Arising Out of PS. Case No.-345 Year-2024 Thana- BAKHTIYARPUR District- Patna

1. Ram Padarath Singh @ Padarath Singh S/o Late Tripit Singh R/o vill - Bariyarpur, Ward no. 14, (Under Gram Panchayat Champapur), P.S. - Bakhtiyarpur, Distt. - Patna
2. Ranveer Singh S/o Ram Padarath Singh @ Padarath Singh R/o vill - Bariyarpur, Ward no. 14, (Under Gram Panchayat Champapur), P.S. - Bakhtiyarpur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Budhilal Yadav, Advocate
For the State	:	Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-10-2024 Heard Mr. Budhilal Yadav, learned counsel for the

Petitioners and Mr. Shantanu Kumar, learned APP for the

State.

2. The petitioners apprehend their arrest in connection with Bakhtiyarpur P.S. Case No. 345 of 2024 dated 14.06.2024 registered for the offences punishable under Sections 363 and 365 of the Indian Penal Code.

3. The main submissions advanced by learned counsel appearing for the petitioners are that as per FIR, the main allegation is against Karan Kumar, son of petitioner no. 1, the so-called victim has been recovered and admittedly she was nineteen years old at the time of FIR and she has recorded her



statement before the Judicial Magistrate under Section 164 of Cr.P.C. in which she did not name the petitioner no. 1 as being involved in her abduction. It is further submitted that petitioner no. 2 is brother of co-accused Karan Kumar and a married person having five children so the allegation levelled against him by the victim is completely unbelievable. Both the petitioners have fair and clean antecedent and as per allegation made by the victim, she was taken to Rajasthan State but during the course of travelling she did not make any resistance or *hall gulla* which shows that she was a consented party to her marriage with the son of petitioner no. 1 and the co-accused Karan Kumar is already in Judicial Custody.

4. Learned APP for the State has opposed the prayer for bail of the petitioners.

5. Considering the facts and circumstances of this case as well as above submissions coupled with the fair and clean antecedent of the petitioners and also the facts that victim who is said to be nineteen years old, has been recovered and as per her allegation, she was taken to Delhi and in Rajasthan State by the accused forcefully but the petitioners have taken the plea that during the course of travelling, the victim had sufficient opportunity to resist the alleged acts of petitioner no. 2 and co-



accused but even then she remained silent which shows that she was a consented party in her alleged abduction and petitioner no. 2 is a married person having five children presently residing in Delhi and further, the learned APP has not shown any requirement of police interrogation from the petitioners, in my opinion, in the said circumstances, it will be proper to grant the anticipatory bail to both the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Bakhtiyarpur P.S. Case No. 345 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

maynaz/-

U		T	
---	--	---	--

