

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71061 of 2024**

Arising Out of PS. Case No.-90 Year-2024 Thana- GANDHIMAIDAN District- Patna

Akash Kumar Son of Lakhan Sahni @ Lakhan Sahni Bose @ Bose @ Lakhan  
Sahni Resident of Mohalla- Deedarganj, P.S.- Deedarganj, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Anil Sahani Son of Devendra Sahani Resident of R.K. Bhattacharya Road,  
Ward No. 28, P.S.- Gandhi Maidan, Distt.- Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      30-10-2024      1. Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of  
Gandhi Maidan Police Station Case No. 90 of 2024,  
disclosing offences under Sections 363 and 366(A) of the  
Indian Penal Code.
3. The prosecution story as per the F.I.R. is that on 08.02.2024  
the minor daughter of the informant aged about 17 years  
went outside, but did not come back. Upon search, the  
informant got the information that the petitioner has  
kidnapped his daughter with oblique motive.
4. Learned Counsel for the petitioner submits that petitioner has



falsely been implicated due to fact that there was love relationship between the petitioner and the victim girl which was not to the liking of the informant and his family members. He further submits that the victim girl was major at the time of occurrence and as per the birth certificate issued by Patna Municipal Corporation her date of birth is registered as 04.04.2005 and she was 19 years of age at the relevant point of time. The statement of the victim was recorded under Section 164 of the Cr.P.C. in which she has stated that she went along with the petitioner voluntarily to Vaishnodevi and performed marriage with him.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the statement of the victim recorded under Section 164 of the Cr.P.C. and the date of birth of the victim recorded in the birth certificate, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the



satisfaction of learned Sub-Divisional Judicial Magistrate,  
Patna, in connection with Gandhi Maidan Police Station  
Case No. 90 of 2024, subject to the condition laid down  
under Section 438 (2) of the Code of Criminal Procedure

(Anil Kumar Sinha, J)

Siwani/-

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