

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76829 of 2023

Arising Out of PS. Case No.-467 Year-2021 Thana- HILSA District- Nalanda

Ashish Kumar @ Ajnabi Kumar @ Rukesh Son Of Kapil Gope R/O Village-
Kurtha, P.S.- Hilsa, Dist.- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishore Prasad, Advocate
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in connection with Hilsa P.S. Case No. 467 of 2021 dated 26.09.2021 registered for the offence/s punishable u/ss 363 and 366A read with section 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor grand daughter of the informant by enticing her.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is love



affair between the petitioner and the victim girl. The victim in her statement recorded under section 164 of the Cr.P.C. has stated that she went with the petitioner of her own will. Medical board assessed the age of the victim as 18-19 years. It is further submitted that the victim was not forced to have illicit intercourse with another person. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 467 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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