

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77486 of 2023

Arising Out of PS. Case No.-359 Year-2022 Thana- MIRGANJ District- Gopalganj

Dipu Kumar Singh @ Dipu Kumar Son Of Surendra Singh Resident Of
Village - Matihani Nain, Ps- Mirganj, Distt- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

For the Opposite Party/s : Ms Sharda Kumari, A.P.P.

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

ORAL ORDER

2 10-01-2024 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

connection with Mirganj P.S Case No. 359 of 2022 dated

12.10.2022 registered for the offence punishable u/ss 363,

366 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and

the co-accused persons are alleged to have kidnapped the

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 was love affair between the petitioner and the victim. It is further submitted that the doctor has not found any evidence of sexual assault. The victim in her statement recorded under Section 164 Cr.P.C. stated that there is love affairs between the victim and the petitioner and the victim herself went to the petitioner and solemnised marriage with him. As per the Medical Board, the victim is aged between 17 to 18 years but as per statement of the informant in the F.I.R. the age of the victim is of 19 years at the time of alleged occurrence. The learned counsel further submitted that the victim was not forced to have illicit intercourse with another person. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail 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 anticipatory 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, Gopalganj in connection with Mirganj P.S Case No. 359 of 2022, 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)

Nilmani/-

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