

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78380 of 2024

Arising Out of PS. Case No.-281 Year-2024 Thana- KHUSRUPUR District- Patna

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1. Jitendra Kumar Verma Son of Late Prabhu Chandra Verma Resident of Mohalla- Khusrupur Neemtal Ward No. 2, P.S- Khusrupur, District- Patna
 2. Socha Devi Wife of Jitendra Kumar Verma Resident of Mohalla- Khusrupur Neemtal Ward No. 2, P.S- Khusrupur, District- Patna
 3. Neha Kumari D/O- Jitendra Kumar Verma Resident of Mohalla- Khusrupur Neemtal Ward No. 2, P.S- Khusrupur, District- Patna
 4. Bittu Kumar Vрма Son of Jitendra Kumar Verma Resident of Mohalla- Khusrupur Neemtal Ward No. 2, P.S- Khusrupur, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Shankar Kumar @ Shankar Singh D/O- Krishana Singh Resident of Mohalla- Musurpur Lodipur Ward No. 05, P.O and P.S- Khusrupur, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Kumar
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-12-2024 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Khusrupur P.S. Case No. 281 of 2024 registered under Sections 137 (2), 96 of the B.N.S. 2023.

3. As per the first information report the sixteen year old daughter of the informant went to attend College on 06.07.2024 but she did not return. After search, the informant came to know that the petitioner no. 4 / Bittu Kumar Verma kidnapped her along with all the petitioners for oblique purpose.



4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case by the informant due to the fact that his daughter was having love relationship with the petitioner no. 4 and she voluntarily went with the petitioner no. 4 and performed marriage as would be evident from the statement of the victim girl recorded under Section 180 of the B.N.S.S. (Section 161 Cr.P.C.) before the Police. Referring to Annexures- P/4, P/5, P/6 coupled with the statement of the victim girl recorded under Section 180 B.N.S.S., learned counsel submits that both petitioner no. 4 and the victim girl have solemnized marriage and were living as husband and wife. The victim girl was major as would be evident from her School Certificate annexed at Annexure-P/2 and on the date of occurrence her age was eighteen year six months.

5. On the other hand, learned counsel for the informant and State vehemently opposed the prayer for bail and submits that the learned I/C Addl. Sessions Judge-III, Patna City has taken note of the statement of the victim girl recorded under Section 183 B.N.S.S. and 180 of B.N.S.S. and came to the conclusion that both are contradictory and rightly rejected the anticipatory bail application of the petitioners.

6. Regard being had to the submission made by the parties,



taking into consideration the nature of allegation, the material produced along with this application as Annexures-P/2, P/3, P/4 & P/5 and the statement of the victim girl recorded under Section 180 of B.N.S.S. and the fact that all the family members have been implicated in this case, I am inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Smt. Pratima Kumari, J.M. First Class, Patna City in connection with Khushrupur P.S. Case No. 281 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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