

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77825 of 2023

Arising Out of PS. Case No.-137 Year-2021 Thana- CHHAURADANO District- East
Champaran

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Rahul Kumar, Son of Dinesh Rai, Resident of Village- Banjari, P.O.
Purushottampur, P.S.- Chhauradano, District- East Champaran, Motihari,
Bihar- 845302. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Akshay Ashish, Advocate
For the Opposite Party : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner in the present case is seeking pre-arrest
bail in connection with Chhauradano P.S. Case No. 137 of 2021
registered for the offences punishable under Sections 366(A)/34 of
the Indian Penal Code. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that the
informant alleged that her minor daughter has been kidnapped by
Rahul Kumar (petitioner), Narendra Prasad and Kedar Prasad in
connivance with Awnish Kumar, Dinesh Rai, Birendra Rai and Jatahi
Devi.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case. It
is submitted that the victim in her statement under Section 164
Cr.P.C. stated that she has married with the petitioner and is living a
happy conjugal life with him.



5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case, the statement of the victim recorded under Section 164 Cr.P.C. saying that she has married with the petitioner and is living a happy conjugal life with him, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Chhauradano P.S. Case No. 137 of 2021 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st, East Champaran, Motihari, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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