

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81385 of 2024

Arising Out of PS. Case No.-340 Year-2024 Thana- RAMNAGAR District- West Champaran

Aditya Prakash S/O Hiralal Ram Resident of Village- Belwa, Bahuari, P.S- Gaunaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 84626 of 2024

Arising Out of PS. Case No.-340 Year-2024 Thana- RAMNAGAR District- West Champaran

Mina Kumari D/O Brijlal Ram Resident of village- Tonawa, PS- Bharoganj, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 81385 of 2024)

For the Petitioner/s : Mr. Sujeet Kumar

For the Opposite Party/s : Mr. Akshay Lal Pandit (App)

(In CRIMINAL MISCELLANEOUS No. 84626 of 2024)

For the Petitioner/s : Mr. Sujeet Kumar

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2024 **CRIMINAL MISCELLANEOUS No.81385 of 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 Ramnagar Police Station Case No. 340 of 2024, disclosing offences under Sections 137(2), 87, 325, 3(5) of the



BNS.

3. As per the FIR, on 17.07.2024, in the night, petitioner along with his family members entered into her house, injected intoxicant and took her to Laxamipur. Thereafter, she was brought to Banuchappar where she was kept at a house of Subhash Ram. It has further been alleged that on 28.07.2024, the informant informed her family members through mobile phone and thereafter, police arrived there and she was rescued.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and the victim has lodged the FIR on the pressure put by her family members. The petitioner and the victim was having love relationship and they performed marriage in Shiv Temple on 19.07.2024 for which a marriage certificate was issued by the temple authority which is annexed at Annexure 2. Further, a deed of marriage was executed before Notary Public, Bagaha, having the photograph and signature on the said affidavit, dated 19.07.2024 at Annexure 3. The videography of the marriage was also done and the petitioner has the pendrive of the marriage ceremony. The FIR has been lodged after a delay of about eleven days from the alleged date of occurrence and prior to the FIR, no information was given by the family members of the



informant to the police regarding missing of the informant. In Cr. Misc. No. 84626 of 2024, the petitioner/Mina Kumari is sister of Aditya Prakash who performed marriage with the victim.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the delay in lodging of the FIR by the family members of the informant and the fact that petitioner no. 1 has produced the marriage certificate granted by the temple authority and the affidavit, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, 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) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran, in connection with Ramnagar Police Station Case No. 340 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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