

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77843 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- BEERPUR District- Begusarai

Prince Kumar, S/O Anil Paswan, Resident of Village- Banahara, PS.
Bhagwanpur, Dist. Begusarai. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

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 Birpur P.S. Case No. 81 of 2023 registered for the offences punishable under Section 366 of the Indian Penal Code. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that the allegation against the petitioner is that he along with one Ravish Kumar kidnapped the wife of the informant.

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 wife of informant has come back and made a statement under Section 164 CrPC in which she has stated that on her own will and volition, she had eloped with the petitioner for the purpose of marriage.

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 wherein it is noticed that in the first information report itself the informant has declared that the wife was about 18 years old, the wife of the informant has come back and made a statement under Section 164 CrPC in which she has stated that she was forcibly married with the informant while she was in love with this petitioner and on her own sweet will, she had eloped with the petitioner for the purpose of marriage, 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 Birpur P.S. Case No. 81 of 2023 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 Chief Judicial Magistrate, Begusarai, 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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