

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84893 of 2023

Arising Out of PS. Case No.-500 Year-2022 Thana- BIDUPUR District- Vaishali

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DHIRAJ KUMAR S/O AMARNATH SINGH R/O VILLAGE- MATHURA,
SULTANPUR PACHKATIA, P.S- BIDUPUR, DISTT.- VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Prasad Sinha, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363, 366(A), 34 of the Indian Penal Code.

3. As per the FIR, all the FIR named accused persons including the petitioner are said to have kidnapped the minor daughter of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. Petitioner has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. It is further submitted that the statement of the victim has been recorded under Section 164



Cr.P.C. in which she has not supported the prosecution case and specifically stated that she had gone at the house of her *mausi*. He further submits that later on, with the consent of parents of both parties, the petitioner has solemnized marriage with the informant's daughter in Baba Hariharnath Temple on 06.07.2023, as mentioned in Annexure 3. There is no specific overt act against the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the victim girl has not supported the prosecution case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Bidupur P.S. Case No. 500 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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