

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1473 of 2024

Arising Out of PS. Case No.-363 Year-2023 Thana- BELAGANJ District- Gaya

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1. Subodh @ Subodh Kumar Son of Narendra Prasad R/o vill - Kurisray, P.S. - Belaganj, Distt. - gaya
 2. Amarjit Kumar @ Footani Son of Virendra Nonia @ Virendra Chauhan R/o vill - Kurisray, P.S. - Belaganj, Distt. - gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 17-02-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned A.P.P. for the State.

3. Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail petition on behalf of the petitioner no. 1 because he has been arrested during pendency of the bail application.

4. Permission is accorded.

5. Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to the



petitioner no. 1, Subodh @ Subodh Kumar.

6. So far as petitioner no. 2 is concerned, the petitioner is apprehending his arrest in connection with Belaganj P.S. Case No. 363 of 2023, dated 09.06.2023, registered for the offences punishable under Sections 363, 366A, 34 of the Indian Penal Code.

7. As per prosecution case, the petitioner along with other co-accused is alleged to kidnapping the minor daughter of the informant for the purpose of marriage.

8. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. Learned counsel has further submitted that there was love affair between the victim girl and the co-accused namely Santu Kumar. There is nothing on record to show that the victim was forced to have illicit relationship with another person. Now the victim girl has been recovered from the Calcutta, in her statement under section 164 Cr.P.C. she has stated that due to sweet will she has gone with co-accused Santu Kumar. There is no specific allegation against the petitioner rather there is general and omnibus allegation against the petitioner.



9. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner no.2.

10. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner no. 2, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Belaganj P.S. Case No. 363 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

11. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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