

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2697 of 2024

Arising Out of PS. Case No.-385 Year-2023 Thana- SAKRA District- Muzaffarpur

Awadesh Kumar, S/o-Veena Sah, Resident of Village-Mehshi, P.S.-Sakra,
District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Sakra P.S. Case No. 385 of 2023, registered on 10.08.2023 for the offences under Sections 363, 365 and 368 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons abducted the brother of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. FIR has been lodged after delay of five days without any satisfactory explanation. The sister of the petitioner was raped by the brother of the informant and thereafter the marriage of



the sister of the petitioner was solemnized with brother of the informant. The dispute arose in the marriage and this false case has been lodged. The sister of the petitioner has lodged Sakra P.S. Case No. 602 of 2023 against the informant and his brother mentioning all the facts. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail submitting that the victim has recorded his statement under Section 164 Cr.P.C., wherein he has stated that he was abducted with intention of his forced marriage.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the earlier dispute of the parties and also considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-12, East Muzaffarpur/court concerned in connection with Sakra P.S. Case No. 385 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and



other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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