

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5625 of 2024

Arising Out of PS. Case No.-214 Year-2022 Thana- SINDHIYA District- Samastipur

Birju Ram, Son of Mahesh Ram, Resident of Village-Laxminiya, P.S.-
Singhiya, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Singhiya P.S. Case No. 214 of 2022 dated 20.09.2022 instituted for the offence punishable under Sections 366, 366(A)/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 14.09.2022 at about 5.30 pm, the daughter of the informant went to attend to call of nature, but she did not return. On search, the informant got information that the petitioner along with other co-accused persons has kidnapped her daughter for the purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that during investigation, the victim



girl was recovered and her statement under Section 164 Cr.P.C. was recorded, in which she stated that no one has kidnapped her and she left her house and went to Gujrat on her own will and solemnized marriage with the petitioner. She has one child. Learned counsel for the petitioner further submits that the victim girl is major aged about 18 years and 6 months on the date of recording her statement under Section 164 Cr.P.C. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Singhia P.S. Case No. 214 of 2022, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st, Samastipur subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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