

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9277 of 2024

Arising Out of PS. Case No.-306 Year-2023 Thana- KHAIRA District- Jamui

1. Binod Kumar @ Binod Das S/O- Jagarnath Das R/O- Village- Dumariya Tanr, P.S.- Khaira, Dist.- Jamui
2. Nilesh Kumar @ Nilesh Das S/O- Bijay Kumar Das R/O- Village- Dumariya Tanr, P.S.- Khaira, Dist.- Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 15-05-2024 Heard learned counsels for the petitioners and learned A.P.P. for the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Section 366A of Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act.

3. It is alleged all the F.I.R. named accused persons including these petitioners kidnapped the minor daughter of the informant.

4. Learned counsel appearing for the petitioners submits that victim in her statement, recorded under Section 164 of Cr.P.C., has denied the prosecution case and has categorically



stated that she was in love with co-accused Gulshan Kumar and wanted to solemnize marriage with him so she left the house out of her own sweet will with co-accused Gulshan Kumar. He further submits that age of the victim is 18 years. He lastly submits that petitioners have been made accused in this case merely because they happen to be friends of co-accused Gulshan Kumar and they claim clean antecedent.

5. Considering the statement of the victim recorded under Section 164 of Cr.P.C., this anticipatory bail is allowed and it is ordered that the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional District Judge- 1st, Jamui in connection with Khaira P. S. Case No. 306 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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