

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49666 of 2024

Arising Out of PS. Case No.-147 Year-2024 Thana- MADANPUR District- Aurangabad

Nagendra Singh @ Banarsi Singh @ Banarashi singh Son of Late Madhav Singh @ Madho Singh Resident of Vill- Gortara, P.S.- Obra, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Bhuiya S/o- Late Bigan Bhuiya R/o- Village- Balhabar, P.S.- Madanpur, Dist.- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Raghunandan Kumar Singh, Advocate
Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

11 16-06-2025 1. Heard Mr. N.K. Agrawal, learned Senior counsel
for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Madanpur P.S. Case no.147 of 2024 registered under Sections 363, 366A and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that on 04.04.2024 at about 03:00 p.m. one Nitish Kumar along with another unknown person had come to the house of the informant and after a while the petitioner who happens to be the brother of Nitish Kumar also arrived at the house of the informant and they forcefully took away informant's daughter



and informant's sister on motorcycles who are aged about 15 and 16 years.

4. Learned Senior counsel for the petitioner submits that F.I.R has been lodged after a delay of four days as the date of occurrence is 04.04.2024 and F.I.R was lodged on 08.04.2024. Despite valid service of notice no one appears on behalf of the opposite party no.2. It has further been submitted that there was love affair going on between informant's daughter and Nitish Kumar. The statements of the victim were recorded under Section 161 and also 164 Cr.P.C which would go to show that the thrust of allegation is against accused Nitish Kumar and the daughter of the informant has clearly stated that she was taken away by accused Nitish Kumar and he solemnized marriage with her and also established physical relationship. However, it appears that no specific allegation has been made against this petitioner in the 164 statements of both the victim girls which are on record. He undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Considering the entire facts and circumstances of the case, it is directed that the petitioner above named, in the



event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Madanpur P.S. Case no.147 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Harsh/-

U		T	
---	--	---	--

