

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59624 of 2024

Arising Out of PS. Case No.-546 Year-2023 Thana- BUXAR MUFFSIL District- Buxar

Vivek Kumar S/O Gorakh Prasad @ Gorakh Prasad Ram R/O Sekua, P.S-
Buxar Rajpur, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Ms. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 05-02-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 365, 366 and 34 the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that his wife on 19.12.2023 at 7.00 P.M. went
to attend the call of nature, but did not return home, thus alleges
that his wife has been abducted by his Bhabhi, Nitish Kumar
and Vivek Kumar for immoral purposes.

4. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant. It is further submitted that date of occurrence is



19.12.2023 and the FIR came to be instituted on 25.12.2023 i.e. after a delay of six days of the occurrence, which cast an aspersion on the case of the prosecution. It is further submitted that the victim has come back and her statement was recorded under Section 164 Cr.P.C. wherein she has stated that Nitish Kumar along with other accused persons kidnapped her and took her to Hyderabad, but did not commit any wrong and she returned by herself. It is further submitted that Nitish Kumar had approached this Court seeking anticipatory bail by filing Cr. Misc. No.48835 of 2024 and the same was allowed by an order dated 18.09.2024, as such, the learned counsel based on parity seeks anticipatory bail.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions and taking into account the order dated 18.09.2024 in Cr. Misc. No.48835 of 2024, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with



Manigachhi P. S. Case No.546 of 2023, subject to the conditions
laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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