

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61469 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- NIMCHAKBATHANI District- Gaya

Manish Kumar Son of Bijay Yadav @ Vijay Yadav Village- Telari Tola, Kashi
Bigha, P.S.- Minchak Bathani (Nimchak Bathani), Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uma Kant Mishra

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 17-03-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Neemchak Bathani P.S. Case No. 78 of 2024 instituted for the offence under Section 366(A) of the Indian Penal Code.

3. As per allegation in the FIR, on 16.4.2024 minor daughter of the informant went to Sarbahda Bazar but she did not return. Even after intensive search, she could not be traced out. Informant has apprehension that petitioner has kidnapped her daughter.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has been falsely implicated in this case due to dirty village politics. As per medical report, age of the victim has been assessed as 19 years. Statement of the victim girl was recorded u/s 164 Cr.P.C. in which she has stated that out of her own swill will she has left the maternal home and went to Biharsharif with the petitioner and then on next day she performed marriage with him in Hanuman Temple and thereafter on 29.04.2024 she performed registered marriage in Biharsharif Court. In her statement, she has not alleged anything against the petitioner for abduction or kidnapping.

Having heard learned counsel for the parties and considering the fact that it is a case of elopement and the statement of victim recorded u/s 164 Cr.P.C. mentioned in para 63 of the case diary, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Neemchak Bathani P.S. Case no. 78 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the



like amount each to the satisfaction of learned JMFC, Gaya
subject to the conditions as laid down under section 438(2)
of the Cr.P.C.

(S. B. Pd. Singh, J)

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