

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.453 of 2017

Arising Out of PS.Case No. -13 Year- 2015 Thana -SAKRA District- MUZAFFARPUR

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1. Avinash Kumar, S/o Awdhesh Paswan, Resident of Village- Dihuli,
P.S.- Sakra, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-02-2017 Heard the parties.

This application is for grant of bail in connection with Sakra
P.S.Case No.13/2015 for the offence under Sections 341, 323,
366(A), 120(B)/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that though there
is allegation against the petitioner for the offences under Section
366 (A) and other Sections of the Indian Penal Code, however, the
informant has gone on her own sweet-will with the petitioner and
they have got married in the court and later on, the dispute arose
between the parties, as such the present case has been filed.
Further, it is submitted that a complaint case was also filed by the
mother of the petitioner against the informant and others with
regard to kidnapping of the petitioner. As such the petitioner has



been falsely implicated in this case and he is in custody since 30.9.2016.

Heard learned A.P.P. also, who has opposed the prayer for bail.

Having heard both sides and in view of the allegations as mentioned in the F.I.R. as well as the statement made under Section 164 Cr.P.C. of the girl, I am not inclined to grant bail to the petitioner at this stage, however, the petitioner may renew his prayer for bail before the court below itself and after recording of the evidence of the victim girl and the informant and if such application is filed, the learned court below will pass appropriate order without being prejudiced by the order of this Court on the basis of materials available on the record.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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