

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43182 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- BAHERI District- Darbhanga

SAURABH KUMAR Son of Gulab Yadav Resident of village- Chakla, P.S.-
Baheri, District - Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shama Sinha

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 30-09-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Baheri P.S. Case No. 79 of 2019, registered for the offence
punishable under Sections 365, 366 and 34 of the Indian
Penal Code.

The allegation is regarding the petitioner and one
other co-accused person having kidnapped the victim girl
whereafter, they are stated to have taken her to the hospital
where upon commotion being made by the victim girl, the
victim girl was taken away from the hospital and
subsequently, she was sent to the police station.

The learned counsel for the petitioner has submitted that
there is no allegation of any untoward incident or any rape being



committed by the petitioner and it appears that the victim girl was married to somebody else and she was carrying his child, which the petitioner had thought to abort by taking her to the hospital, however, during the interregnum period, the victim girl had made a commotion and thereafter, the petitioner had taken her away, however, subsequently, the victim girl was sent to the police station. It is submitted that even if the entire story is to be believed, then also no offence, as alleged, is made out against the petitioner. The petitioner is stated to be having a clean antecedent and he is languishing in custody since 4.5.2019.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, IX, Darbhanga in connection with Baheri P.S. Case No. 79 of 2019.

(Mohit Kumar Shah, J)

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