

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53574 of 2019

Arising Out of PS. Case No.-578 Year-2019 Thana- AHİYAPUR District- Muzaffarpur

Binay Kumar, aged about 30 years, Male, son of Suresh Prasad Singh, resident of Village- Koahi, P.S.- Mahindwara, District- Sitamarhi, Permanent residing at Village- Nayanagar, P.S.- Manshi and District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 25-11-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Petitioner seeks regular bail in connection with Ahiyapur P.S. Case No. 578 of 2019 registered for the offence punishable under Section 365/34 of the Indian Penal Code.

The allegation against the petitioner is that the petitioner along with his brother- Balbir Kumar have kidnapped the daughter of the informant.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case merely on the basis of the fact that petitioner happens to be the brother of Balbir Kumar, who has allegedly eloped with the daughter of the informant. Learned counsel further submits that during the course of investigation it has come to light that the said co-accused Balbir Kumar used to call the victim girl in his Maths Coaching Classes. Learned counsel further submits that the victim girl used to study in the School run by the petitioner from



Standard -VII up to Standard- X and right now, the victim is studying in B.B.A. in MDDM College. Learned counsel further submits that after completion of Class- Xth, there was no connection of the victim girl with the petitioner. Learned counsel further submits that petitioner is in custody since 20.05.2019.

Having heard learned counsel for the parties and taking into consideration the fact that petitioner happens to be brother of Balbir Kumar, who is also trace less along with the victim girl and it was Balbir Kumar, who used to call the victim girl for giving her coaching, I am inclined to grant the privilege of regular bail to the petitioner.

Accordingly, let the petitioner Binay Kumar be enlarged on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 578 of 2019.

(Anil Kumar Sinha, J)

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