

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68402 of 2019

Arising Out of PS. Case No.-453 Year-2018 Thana- MUFFASIL District- West Champaran

SUNIL KUMAR GUPTA Son of Chandrika Sah Resident of Village -
Ahwarshekh, Fulturwa, P.S.- Majhauriya, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Digvijay Kumar Ojha
For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-12-2019 The petitioner seeks regular bail in connection with
Bettiah (Muffasil) P.S. Case No. 453 of 2018, registered for offences
punishable under Sections 366(A) of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the minor
daughter of the informant and it further appears that the statement of
the girl under Section 164 Cr.P.C. was recorded, in which, she has
stated that she was kidnapped by the petitioner and other accused
persons and specific allegation against this petitioner is that he has
provided a chocolate to the girl and, thereafter, they have taken her
away.

It has been submitted on behalf of the petitioner that he has
falsely been implicated in this case and there is delay in lodging the
F.I.R. Further submission is that in her statement under Section 164
Cr.P.C. except the allegation that she was kept by the petitioner no
other allegation either of physical relationship or of assault has been



levelled and one of the accused, namely, Rakesh Kumar has been granted bail against whom there was also allegation of kidnapping. It has also been submitted that the girl has been found to be aged between 17 to 19 years. Petitioner has been in judicial custody for last three months.

Learned A.P.P. opposed the prayer for bail of the petitioner on the ground that the main allegation is against the petitioner that he has provided the chocolate to the victim girl, thereafter, she was kidnapped and the case of co-accused Rakesh Kumar, who has been enlarged on bail, is different from the petitioner.

Having heard both sides, considering the facts and circumstances of the case, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Bettiah (Muffasil) P.S. Case No. 453 of 2018 subject to the condition that petitioner shall cooperate in disposal of trial and make himself available as and when required by the Trial Court.

(Vinod Kumar Sinha, J)

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