

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26400 of 2020

Arising Out of PS. Case No.-98 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

=====

RAJ KUMAR PANDIT @ RAJESH KUMAR PANDIT @ RAJU PANDIT,
Son of Harilal Pandit @ Buchan Pandit, Resident of Village - Garuara Tal
Dashahara, P.S. Muffasil, District – Samastipur. Petitioner/s
Versus

The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mrs.Anita Kr. Singh

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-12-2020 Heard learned counsel for the petitioner and learned

APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 363 and 366 A of the Indian
Penal Code.

As per FIR, there is an allegation of kidnapping the
daughter of the informant namely Muskan Kumari aged about
17 years.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that from perusal of the statement
recorded u/s 164 Cr.P.C. it appears that the victim is major one
and actually she was in love with the petitioner and wanted to
marry with him which was denied by the petitioner thereafter,
present false has been filed by the informant. It appears that the
so-called victim Muskan was in captivity of accused persons for



the whole night but she has not made any allegation of physical assault or abuse which would be apparent from the statement recorded u/s 164 Cr.P.C. of the so-called victim Muskan, recorded on 02.03.2020 i.e. one day after the alleged occurrence. He further submits that the victim is major being 19 years of age but while passing the order impugned, the learned Judge has not considered the same. The petitioner is in custody since 02.03.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail application.

Learned APP for the State has opposes the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Muffasil P.S. Case No. 98/2020 to the satisfaction of the learned Additional Chief Judicial Magistrate, 2nd, Samastipur.

(Anjani Kumar Sharan, J)

amitkumar/-

U		T	
---	--	---	--

