

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11603 of 2021

Arising Out of PS. Case No.-109 Year-2019 Thana- ASHTHAWAN District- Nalanda

GUNJA KUMAR @ PRABHAKAR KUMAR, S/o Raj Kumar Paswan, R/o
village- Maqsudpur, P.S.- Asthawan, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Prasad, Adv.

For the Opposite Party/s : Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-09-2021 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, 365, 366(A), 504/34 of
the Indian Penal Code.

Allegation against the petitioner is that he has
kidnapped the victim girl of the informant for purpose of
marriage and other illegal activity.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the statement of victim recorded
under Section 164 Cr.P.C., which are self-contradictory. The
victim girl has already been recovered and there is no allegation
of sexual assault or physical assault against the petitioner. The



petitioner is languishing in judicial custody since 03.12.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition. The similarly situated co-accused have been granted bail by different co-ordinate Benches of this Court.

Learned APP for the State vehemently opposed the prayer for bail application.

I perused the records including the case diary, there is no sexual assault or physical assault alleged against the petitioner and some other accused persons have been granted bail by different co-ordinate Benches of this Court.

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 Asthawan P.S. Case No. 109/2019 to the satisfaction of learned Court below where the case is pending/ successor Court.

(Anjani Kumar Sharan, J)

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