

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18407 of 2021

Arising Out of PS. Case No.-265 Year-2020 Thana- BALIYA District- Begusarai

=====

KISHAN KUMAR @ PINTU S/o Lakhan Mahton R/o village- Kiranpur,
P.S.- Medini Chowki, District- Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Om Prakash Maharaj, Advocate

For the Opposite Party/s : Mr.Abhay Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-10-2021 Heard learned counsels appearing for the parties through
virtual court proceedings.

The petitioner seeks bail in connection with Ballia P.S.
Case No.265 of 2020 (G.R. No.3200/2020) registered for the
offence punishable under Sections 366A/34 of the Indian
Penal Code.

The prosecution case in short is that the informant's
daughter went to the house of petitioner as he was a relative
but did not return, then informant asked about her from the
petitioner and his wife. It is alleged that the petitioner and his
wife have enticed his minor daughter and hidden somewhere
or have sold her to someone.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence



as alleged in the FIR rather his name has been dragged in this case with ulterior motive and malice. From perusal of the ferdbeyan, it is clear that the case has been filed after a delay of 10 days of the occurrence without any explanation for the same. No independent witness has supported the prosecution case. The statement of victim was recorded u/s 164 Cr.P.C. where she has given a different version and stated that on 13.09.2020, she went to Balia market for some work, there the petitioner met with her and took her to some unknown place. During 164 Cr.P.C. statement, court assessed the age of victim as 16 years while as per marksheet, school leaving certificate, the date of birth of the victim is 20.02.2003. In para-19 of the case diary, it has come that the victim has refused to be examined by the medical board. Petitioner has no criminal antecedent and has been languishing in custody since 28.11.2020, as such, he may be enlarged on bail.

Learned APP appearing for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, Begusarai,
in connection with Ballia P.S. Case No.265 of 2020 (G.R.
No.3200/2020).

(Anjani Kumar Sharan, J)

pallavi/-

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

