

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21544 of 2021

Arising Out of PS. Case No.-598 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

Om Prakash Chaudhary Son Of Late Vijay Chaudhary @ Vijay Kumar Chaudhary Resident Of Village- Bishunpur Horil, Police Station- Baruraj In The District Of Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 01-12-2021 Heard both parties.

The petitioner seeks bail in Sahebganj P.S. Case No. 598 of 2020, registered for the offence punishable under Sections 363, 366A/34 of the Indian Penal Code.

As per the prosecution case, co-accused Vikash Kumar Rai and Manish Kumar kidnapped the minor daughter of informant for the purpose of marriage.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR. Name of this petitioner has come in this case on the basis of statement of victim girl recorded under Section 164 Cr.P.C wherein she has stated that her *Mami* got her seated on the vehicle and this petitioner is alleged to have assisted her. There is no allegation of



misbehaviour or sexual assault against this petitioner. The occurrence took place on 20.11.2020, but the FIR was lodged on 23.11.2020 there is delay of three days without any plausible explanation. The victim girl has got love affair with co-accused Roshan Kumar and petitioner has falsely been implicated in this case simply because he is brother of her *Mami*. Petitioner is in custody since 17.12.2020 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur. in connection with Sahebganj P.S. Case No. 598 of 2020.

(Prabhat Kumar Singh, J)

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