

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37803 of 2020

Arising Out of PS. Case No.-133 Year-2020 Thana- NAYA RAM NAGAR District- Munger

1. Bablu Kumar @ Babul Kumar, Son of Late Harilal Tanti, Resident of Village- Bariyarpur Kaliasthan, P.S.- Bariyarpur, District- Munger.
2. Rajesh Kumar @ Shiv Charan Kumar, Son of Puran Mandal, Resident of Village- Bariyarpur Kaliasthan, P.S.- Bariyarpur, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murli Dhar, Advocate.

For the Opposite Party/s : Ms. Rina Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-07-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Learned counsel appearing for the petitioners submits that petitioner no. 1, Bablu Kumar, has been arrested by the police, so he seeks permission to withdraw this application with respect to petitioner no.1.

Permission is accorded.

Accordingly, this application is dismissed as withdrawn with respect to petitioner no.1

Heard learned counsel for the petitioner no.2,



namely, Rajesh Kumar @ Shiv Charan Kumar and the learned A.P.P. for the State through Video Conferencing.

The petitioner no.2, namely, Rajesh Kumar @ Shiv Charan Kumar, apprehends his arrest in connection with Naya Ramnagar P.S. Case No. 133 of 2020 registered under Section 366(A)/34 of the Indian Penal Code and Section 8 of the POCSO Act.

The accusation is of kidnapping of minor daughter of the informant, Kumar Manoj, by Sonu Kumar with the help of his friends, Vishal Kumar and Badal Kumar. In course of search, informant came to know that Bablu Kumar, Rajesh Kumar (petitioner no.2), relative of Sonu Kumar, have also hand in the kidnapping of his daughter.

Learned counsel for the petitioner submits that informant wanted to perform the marriage of his daughter due to that reason, she left the house and performed the marriage with co-accused Sonu Kumar in temple according to her own sweet will, this fact has come in the statement of victim recorded under Section 164 of the Cr.P.C. on 13.08.2020, which would appear from annexure 2 to the petition and she has not disclosed the name of petitioner no.2 in any manner.

Having regard to the facts and circumstances of the



case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Exclusive Special Court (POSCO Act), Munger, in connection with Naya Ramnagar P.S. Case No. 133 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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