

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52511 of 2021

Arising Out of PS. Case No.-243 Year-2021 Thana- RAHUI District- Nalanda

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Luv Kumar Son Of Ramjanam Yadav @ Ramjanam Gope R/O Village- Mai,
P.S.- Rahui, District- Nalanda at Biharsharif

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 30-11-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Rahui P.S. Case No. 243 of 2021, registered for the offence under Section 366 of the Indian Penal Code.

As per the prosecution case, this petitioner is alleged to have kidnapped the wife of the informant.

It is submitted on behalf of petitioner that petitioner has committed no offence and there is delay in filing complaint case. As per the F.I.R., the date of occurrence is 17.05.2021 and F.I.R. has been lodged on 22.05.2021 and no specific reason has been given for the delay. It is further submitted that petitioner had not taken away the wife of informant, rather she herself went out of the house due to torture committed by her husband and as such, no case under Section 366 of the I.P.C. is made out against the petitioner. In support of the same, he has relied upon



the statement of the wife of informant before the police wherein she had stated that she was in love with this petitioner and on the provocation of this petitioner, she left the house with this petitioner and she further alleged that one month earlier, her husband had caught them (i.e. wife of informant and petitioner) in compromising condition and due to that, she had gone with the petitioner. It is further submitted that admittedly, the victim lady is major and aged about 32 years old. Petitioner has no criminal antecedent and he is in custody since 24.05.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda at Biharsharif in connection with Rahui P.S. Case No. 243 of 2021.

(Prabhat Kumar Singh, J.)

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