

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2890 of 2021

Arising Out of PS. Case No.-377 Year-2020 Thana- MINAPUR District- Muzaffarpur

RAJU KUMAR Son of Suresh Prasad Gupta @ Suresh Sah Resident of
Village - Dharampur, P.S.- Minapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 27.09.2020 in connection with Minapur P.S. Case No. 377/2020 registered for the offences punishable under Sections 366(A)/34 of the Indian Penal Code.

As per the prosecution case, the petitioner has kidnapped the daughter of the informant.

It is submitted on behalf of the petitioner that petitioner has been falsely implicated in this case. It is further submitted that the statement recorded under Section 164 Cr. P.C., the victim has stated that she has already married with this petitioner (Raju Kumar) and wants to live with her husband. It is submitted that the daughter of the informant and this petitioner are in love affairs. It is next submitted that from perusal of



Annexure-3 to the petition (birth certificate), it is evident that the date of birth of the girl is 09.05.2002 and she is a major.

In view of statement of girl recorded under Section 164 Cr. P.C. that she has already married with this petitioner (Raju Kumar) and wants to live with her husband, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Minapur P.S. Case No. 377/2020, subject to following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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