

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5951 of 2021

Arising Out of PS. Case No.-278 Year-2014 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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RAJU KUMAR @ RAJU KUMAR MAHTO SON OF LATE DASAI
MAHTO RESIDENT OF MOHALLA - NAKASH MITHA KUAN, P.S. -
HAJIPUR TOWN, DISTRICT - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Anil Pd. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-04-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceeding. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner seeks bail in connection with
Mohammadpur P.S. Case No.278 of 2014 registered for the
offence punishable under Sections 366-A of the IPC.

As per the prosecution case, the daughter of the informant
has gone to the temple along with her elder sister but only the
elder sister returned home and the younger one did not return.



As such complaint FIR was lodged against unknown persons. Statement of the accused was recorded under section 164 Cr.P.C. after the recovery of the girl.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case and has not committed any offence as alleged in the FIR. That the victim in her statement recorded u/s 164 Cr.P.C. has stated that the co-accused Vikash Kumar has taken her to Delhi and it appears that the victim and Vikash were in love which turned sour as Vikash Kumar was already married and had two children. It is submitted that there is no specific allegation of kidnapping or anything against the petitioner. The petitioner has no criminal antecedent and has been languishing in custody since 03.07.2020.

Learned APP for the State opposed the prayer for bail and submitted that the victim has supported the prosecution story in her statement u/s 164 Cr.P.C..

Considering the facts aforesaid, since there is no specific overt act against the petitioner, 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, Muzaffarpur in connection with
Mohammadpur P.S. Case No.278 of 2014.

(Anjani Kumar Sharan, J)

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