

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1949 of 2022**

Arising Out of PS. Case No.-339 Year-2019 Thana- KUDHNI District- Muzaffarpur

DEEPAK KUMAR Son of Devendra Paswan Resident of Village- Madhol,
P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 24-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 363, 366A, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 01.09.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

The informant alleges that petitioner and Harendra Kumar used to stalk her daughter on her way to school and used to threaten her that they will kill her father and brother if she does not agree to accompany them, further alleges that on 23/24.05.2019, accused persons kidnapped her daughter along with five unknown accused.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is submitted that the victim has returned and her statement under Section 164 Cr.P.C. has been recorded in which she has not supported the prosecution case *vis-a-vis* the petitioner rather has stated that she has married the petitioner, it is next submitted that though in the F.I.R. it is alleged that petitioner is a minor but no documentary proof was brought on record to establish that victim is a minor. It is the submission of the learned counsel for the petitioner that even presuming that victim was a minor then her age, as recorded in the impugned order, is between 16-17 years as such she had reached the age of discretion and thus could very well comprehend the consequences of her action as she was an educated girl.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 01.09.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and the victim has not supported the prosecution case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned court below where the
case is pending/successor court in connection with Kudhni P.S.
Case No. 339 of 2019.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

