

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4404 of 2022

Arising Out of PS. Case No.-339 Year-2021 Thana- BHAGWAN BAZAR District- Saran

Chandan Kumar Son of Bindeshwari Singh @ Bindeshwar Singh Resident Of
Village- Kariyahi, P.S.- Tajpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the State : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 12-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Bhagwan
Bazar P.S. Case No. 339 of 2021 registered for the offence
under Section 366(A) of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 06.08.2021.



The allegation against the petitioner is to kidnap the daughter of the informant, who is mother of three children, while she was on way of her matrimonial home/sasural.

Learned counsel appearing on behalf of the petitioner submitted that as petitioner was in friendly terms with the victim, they visited Ludhiana together and, as such, this is not a case of kidnapping. It is also pointed out that no allegation of sexual assault was raised against this petitioner by victim, while recording her statement u/s 164 of the Cr.P.C. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as allegation of sexual assault is not available against this petitioner, where he is in custody since 06.08.2021 coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bhagwan Bazar P.S. Case No. 339 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned
Additional Chief Judicial Magistrate-I, Saran at
Chapra/concerned Court, subject to the conditions as laid down
u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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