

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9718 of 2022

Arising Out of PS. Case No.-81 Year-2020 Thana- BEERPUR District- Begusarai

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Munna Kumar S/o- Jitendra Poddar R/o Chiranjivipur, P.S.- Bachhwara,
District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Choubey Jawahar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 10-10-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Birpur P.S. Case No. 81 of 2020 lodged under Sections
363/366(A) of the I.P.C.

As per the prosecution case, the allegation against 5
named accused persons is to kidnap the grand-daughter of the
informant with a view to marriage.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits by virtue of supplementary affidavit, statement made
under section 164 of Cr.P.C. has pressed on record. In the said

statement, it has been disclosed by the victim that kidnapping has been made by accused Vikas and Munna. Allegation of rape was against Vikas and not against Munna. He further submits that petitioner is in custody since 13.07.2020 and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that as per report in the trial, the name of present petitioner has been figured in kidnapping whereas charge has not framed till date, in this case.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail therefore the bail application is hereby rejected.

But liberty is hereby granted to the petitioner to move for bail 2 months after framing of charge and trial Court is directed to release the petitioner by putting on its own conditions so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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