

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13071 of 2022

Arising Out of PS. Case No.-2 Year-2022 Thana- SONEPUR District- Saran

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Amit Kumar S/O Sunil Kumar Rai @ Sunil Kumar Yadav @ Sunil Kumar
R/o village- Bharpura Near Laloo Yadav Chowk, P.S.- Sonpur, District- Saran
(Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the State : Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-08-2022 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 seek bail in connection with Sonpur
P.S. Case No. 2 of 2022 registered for the offence under
Sections 363, 366(A) and 34 of the Indian Penal Code and
Section 5 of the Immoral Trafficking (Prevention) Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 03.01.2022.

The allegation against the petitioner is to kidnap
minor victim girls, who are daughter and niece of the informant,
for the purpose of illicit intercourse.



Learned counsel appearing on behalf of the petitioner submitted that, admittedly, the victim girls are known to the petitioner and out of the said acquaintance, they planned to visit a local destination. It is submitted that during the course of investigation, the victim girls have specifically stated through their statement recorded u/s 164 of the Cr.P.C., that they went on their own will with the petitioner and further, no allegation, as regard to sexual assault/abuse was made against the petitioner. 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, while opposing the prayer of bail, submitted that there is no allegation of sexual assault/abuse against the petitioner.

In view of the facts and circumstances, as mentioned above, as victim girls went with the petitioner on their own will, without specifying any sexual assault/abuse, against the petitioner, who is a man of clean antecedent coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sonpur P.S. Case No. 2 of 2022 on furnishing



bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra, District- Saran/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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