

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25089 of 2022

Arising Out of PS. Case No.-203 Year-2021 Thana- JAMHOR District- Aurangabad

ROHIT KUMAR KUSHWAHA SON OF RAGHUVVEER KUSHWAHA @
RAGHUVIR KUSHWAHA @ RAGHUVVEER R/O VILLAGE- SACHENDI
@ CHEHARDHI, P.S.- KANPUR NAGAR, DISTRICT- KANPUR (UTTAR
PRADESH

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-08-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered u/s 366A of the Indian Penal
Code.

As per the prosecution case, it is alleged that the
informant's minor daughter was kidnapped by some unknown
persons on the pretext of marriage.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this



case on mere suspicion. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is not named in the F.I.R. As per the impugned order, the victim is aged about 17 years and 4 months. The victim in her statement recorded under section 164 of the Cr.P.C has stated that she was in love with the petitioner and had gone with him of her own free will and she solemnized marriage with the petitioner in a temple and went to Surat and started living with the petitioner and his family members. It is further submitted that no force was used against the victim by the petitioner and the victim is presently residing in the petitioner's house with his family. The petitioner is in custody since 12.02.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of this case as well as the period of detention, the petitioner is directed to be enlarged 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 learned Chief Judicial Magistrate, Aurangabad, in connection with Jamhore P.S. Case No. 203 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

shobhakri/-

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