

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41078 of 2021**

Arising Out of PS. Case No.-459 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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DEVRAJ @ PINKU KUMAR Son of Ram Babu Ray @ Ram Babu Rai
Resident of Village- Dharampur, P.S.- Samastipur Muffasil, District-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Zainul Abedin

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 06-01-2022 The matter has been taken up for online hearing
through video conference because of COVID-19 pandemic
restrictions.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of
Samastipur Muffasil P.S. Case No. 459 of 2020, disclosing
offence punishable under Sections 363, 506, 354-B, 511, 34 of
the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is in custody since 29.11.2020.
Allegedly, the petitioner and his accomplices had attempted to
kidnap the informant's minor daughter who was saved with the



intervention of the passersby. The occurrence, as per the F.I.R., is said to have taken place on 29.10.2020, wherein it has been alleged that on 17.09.2020 the accused persons had earlier assaulted the informant's son.

Learned counsel appearing on behalf of the petitioner has submitted that the offence alleged against the petitioner in the FIR is punishable for a maximum period of three years, out of which the petitioner has remained in custody for more than a year. He has drawn my attention to the statement made in paragraph-7 of the application to contend that the petitioner and the alleged victim were infatuated with each other, which was being objected to by the parents of the victim and, therefore, a false case has been instituted. He contends that if petitioner is allowed privilege of regular bail, there is no chance of the petitioner absconding from the process of the court.

Considering the period of incarceration and other attending circumstances appearing from the records of the case, in my opinion, a case for grant of regular bail is made out. This application is accordingly allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned



Additional Sessions Judge VI-cum-Special Court (POCSO),
Samastipur in Samastipur Muffasil P.S. Case No. 459 of 2020.

(Chakradhari Sharan Singh, J)

Rajesh/-

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