

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31313 of 2022**

Arising Out of PS. Case No.-98 Year-2020 Thana- SIWAIPATTI District- Muzaffarpur

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RAUSHAN SINGH @ BAM SHANKAR KUMAR @ BAMBAM KUMAR  
Son of Subhansh Singh @ Sumant Singh Resident of Village - Kumhrar, P.S. -  
Fenhara, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Madhurendra Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

3      21-10-2022                      The learned counsel for the petitioner is directed to  
  
remove all the defects pointed out by the Stamp Reporter within one  
  
month.

Heard learned counsel for the petitioner and the State  
through Video Conferencing.

Petitioner seeks regular bail in Siwaipatti P.S Case No. 98  
of 2020 registered for the offence punishable under Section  
366(A)/34 of the Indian Penal Code.

As per allegation, this petitioner and other accused  
persons kidnapped minor daughter of the informant for the purpose  
of marriage.

The main submissions advanced by Sri Madhurendra  
Kumar, the learned counsel appearing for the petitioner are that  
petitioner has been languishing in jail since 23.1.2022, so-called



victim has been recovered and she has not supported the allegations made in the FIR and according to her statement she voluntarily left house of her parents on account of having love affair and the petitioner has clean antecedent.

Sri Mukesh Kumar Singh, learned APP appearing for the State has opposed the prayer for bail.

Heard both sides, perused the FIR, case diary and the victim's statement recorded under section 164 Cr.P.C. At this stage most important evidence which is own statement of the victim recorded by the Judicial Magistrate and the same goes against the allegation made in the FIR and the victim has stated before the Judicial Magistrate that she left her parents' house on account of having love affair with this petitioner and she has solemnized marriage with this petitioner.

Considering these facts and mainly taking into account petitioner's custody period and his clean antecedent, in the opinion of this court, a lenient approach can be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate Ist Class, Muzaffarpur/ concerned court in Siwaipatti P.S Case No. 98 of 2020.

**(Shailendra Singh, J)**

s.hassan/-

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