

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37822 of 2022

Arising Out of PS. Case No.-867 Year-2021 Thana- LAKHISARAI District- Lakhisarai

Akhalesh Kumar Son of Karu Mandal R/o Village - Ramchandrapur Taripar,
P.S.- Piparia, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv.

For the Opposite Party/s : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 22-11-2022 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
Lakhisarai P.S. Case No. 867 of 2021 lodged under Sections
363, 366(A)/34 of the I.P.C.

As per the prosecution case, the allegation against 5
named accused persons including the petitioner has been made
about kidnapping of the informant's daughter and informant is
looking for her daughter since 13.12.2021 and she is still
missing.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel

submits that antecedent of the petitioner is clean and he is in custody since 06.03.2022. Counsel further submits that the occurrence is of 13.12.2021 but F.I.R. has been filed on 16.12.2021 whereas the distance between the P.S. and the place of occurrence is just 8 km.

Learned counsel for the petitioner further submits that the alleged victim has been recovered and she has narrated her statement under Section 164 of Cr.P.C. before the police.

Learned counsel for the State opposes the prayer for bail but fairly submits that in the statement recorded under Section 164 of Cr.P.C., there is no allegation of any sexual assault made against the victim. It has also been disclosed by the counsel for the State that in paragraph 53, the father of the victim categorically states that her daughter went with the petitioner with her consent.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-Ist-cum-Special Judge, Lakhisarai in connection with Lakhisarai P.S. Case No. 867 of 2021, subject to the conditions as laid down under Section

437(3) of Cr.P.C.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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