

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51028 of 2021

Arising Out of PS. Case No.-14 Year-2021 Thana- PHULWARIA District- Begusarai

SURESH PANDIT @ SURESH KUMAR PANDIT Son of Late Hiralal Pandit Resident of Village - Baro Munshi Tola at present Village - Nipania Gupta Bandh, Ward No.- 07, P.S.- Phulwaria, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Kumar, Adv.
For the Opposite Party/s	:	Mr. Ramchandra Sahni, APP
For the Informant	:	Mr. Subhesh Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 12-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with Phulwaria PS Case No. 14/2021 registered for the offence punishable under Sections 363, 366A/34 of the IPC.

The allegation, as per First Information Report, is that the petitioner along with other accused persons conspired in the abduction of minor daughter of the informant who is aged about 17 years.

Learned counsel for the petitioner submits that the girl was having love affair with the co-accused, namely, Kanhaiya Kumar and the petitioner being the brother of Kanhaiya Kumar has falsely been implicated in this case. He next submits that the statement of the victim girl was recorded under Sections 161 and 164 of the CrPC in which she has stated that she had left her



house voluntarily to perform marriage with co-accused, Kanhaiya Kumar and they are living as husband and wife. He also submits that the victim girl was examined by the Medical Board which has assessed her age between 17 to 18 years and the learned Magistrate has also found her age to be 17 and ½ years.

Learned counsel appearing for the informant submits that the petitioner and other accused persons allured the victim girl and abducted her for oblique purpose. As such, the petitioner does not deserve the privilege of bail. He next submits that the co-accused, Kanhaiya Kumar is still absconding.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the victim was having love affair with the co-accused, Kanhaiya Kumar and the petitioner is brother of Kanhaiya Kumar with an allegation that he conspired with the co-accused and the statement of the victim recorded under Sections 161 and 164 CrPC in which she has not stated anything against the petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, SURESH PANDIT @ SURESH KUMAR PANDIT 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 learned Additional Chief Judicial Magistrate-1, Begusarai in connection with Phulwaria PS Case No. 14/2021.

(Anil Kumar Sinha, J)

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