

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44656 of 2022

Arising Out of PS. Case No.-31 Year-2022 Thana- RAMPUR District- Gaya

AMARJEET KUMAR Son of Vijay Paswan Resident of Village - Karasan
Chhotki, P.s.- Imamganj, Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Rampur
P.S. Case No. 31 of 2022 registered for the offence under
Sections 363 and 366(A) of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 11.03.2022.

The allegation against the petitioner is to kidnap the
16 years old minor daughter of the informant for the purpose of
illicit intercourse.

Learned counsel appearing on behalf of the petitioner
submitted that allegation of kidnapping and sexual assault is not
available against this petitioner, as per statement of victim, as



recorded under Section 164 of the Cr.P.C., rather she stated that she went Delhi on her own will, where, she came back after about 15 days. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation of sexual assault and kidnapping are not available against this petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Rampur P.S. Case No. 31 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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