

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.54472 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- SUHAIL District- Gaya

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RUPESH KUMAR @ RUPESH S/o Binod Paswan R/o village- Sohaila
Pakri, Tola- Salaiya, P.S.- Sohail, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 13-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Suhail Police Station Case No. 10 of 2021, registered for the
offences punishable under Sections 363/366-A/34 of the Indian
Penal Code.

The prosecution case, as per the First Information
Report, is that the petitioner, along with other accused persons,
have allegedly abducted the minor daughter of the informant.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case without any
basis and he has not committed any offence in the manner
alleged. He next submit that from perusal of the impugned



order, it would be evident that the victim girl has been recovered and her statement was recorded under Section 164 of the Code of Criminal Procedure, in which she has not stated anything against the petitioner and has also denied the allegation of kidnapping and the victim girl was also not subjected to sexual abuse by the petitioner. He further submits that the petitioner is in custody since 05.05.2021, having no criminal antecedent and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure and the fact that charge sheet has already been submitted and the petitioner is in custody since 05.05.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sherghati, Gaya, in



connection with Suhail Police Station Case No. 10 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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