

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44632 of 2022

Arising Out of PS. Case No.-72 Year-2022 Thana- AMAS District- Gaya

Suraj Kumar Son Of Sanjay Singh Bhokta @ Sanjay Singh R/O Village-
Khaira Pokhar Sukradih, P.S.- Amas, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Arvind Kumar Singh, Advocate
For the State	:	Mrs. Dr. Indihar Kumari, 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 APP appearing on behalf of the State.

The petitioner seeks bail in connection with Amas P.S.
Case No.72 of 2022 registered for the offence under Sections
366(A) and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 08.03.2022.

The allegation against the petitioner is to kidnap the
minor daughter of informant aged about 17.6 years for the
purpose of illicit intercourse.



Learned counsel appearing on behalf of the petitioner submitted that the present F.I.R. was lodged after delay of 15 days, without having any just explanations. It is also submitted that allegation of kidnapping and sexual assault is not available against this petitioner as per statement of victim recorded u/s 164 of the Cr.P.C. It is pointed out that victim specifically submitted, while recording her statement u/s 164 of the Cr.P.C. that she on her own will accompanied petitioner for Mumbai. 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 for bail.

In view of the facts and circumstances as mentioned above as allegation of kidnapping and sexual assault is not available against this petitioner coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be released on bail in connection with Amas P.S. Case No.72 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 Judicial
Magistrate, Class-I, Sherghatti, Gaya/concerned court, subject to
conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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