

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54569 of 2021

Arising Out of PS. Case No.-30 Year-2021 Thana- MAHNAR District- Vaishali

CHHOTTU KUMAR SON OF RAMJEE BHAGAT RESIDENT OF
VILLAGE- ALIPUR HATTA, P.S.- MAHNAR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dileep Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. Md. Sufyan for the State through virtual court
proceedings.

The petitioner seeks bail in connection with Mahnar
P.S. Case No. 30 of 2021 instituted for the offences under
Sections 366 and 376 of the Indian Penal Code

Learned counsel for the petitioner submits that the
petitioner is in custody since 23.05.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that
informant alleges that on 29.01.2021, the niece of the informant
(victim) went to attend nature's call at 01:00 A.M but she did
not return home, accordingly, a search was made but victim was
not located. It is further alleged that earlier the petitioner was



found in the company of the victim, but the matter was resolved, thus, the informant alleges on the basis of suspicion that petitioner has kidnapped the victim either for murdering her or for selling her.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated from the allegations in the FIR itself, it would manifest that petitioner and the victim were known to each other and the petitioner had visited the victim when the informant and his family members found them and it is alleged that the matter was resolved. Learned counsel for the petitioner further submits that the victim and the petitioner married on 03.01.2021 as both are adults, in Shiv Mandir, Rampur, District, Vaishali and even married before notary at Hajipur as is evident from Annexure-3 to the bail application.

The Learned Counsel further submits that though the victim has supported the prosecution case in her statement under Section 164 of the Cr.PC under parental pressure after coming back, but in a way has supported the petitioner by not alleging that she was abused, assaulted or sexually abused by the petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.



Considering the fact that the petitioner is in custody since 23.05.2021, charge-sheet has been submitted in the case the petitioner is a person with clean antecedent and for the purposes of bail Annexure-3 is taken into consideration, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of concerned Court where the case is pending in Vaishali at Hajipur in connection with Mahnar P.S. Case No. 30 of 2021.

(Satyavrat Verma, J)

Gaurav Kumar/-

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