

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51489 of 2022

Arising Out of PS. Case No.-164 Year-2022 Thana- BIHARIGANJ District- Madhepura

ASHISH KUMAR Son of Sri. Anil Kumar Mehtar R/V- Mazharpatti, P.S-
Udakishunganj, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nanjot Yesu, Advocate Mr. Alok Kumar Singh, Advocate Mr. Kishan Kumar, Advocate
For the Opposite Party/s	:	Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-09-2022 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
Bihariganj P.S. Case No. 164 of 2022 registered for the offence
under Sections 366A and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 02.07.2022.

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

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is falsely implicated in the present
case, due to local disputes and differences. It is also submitted



that no allegation of kidnapping as well as sexual assault was favoured by victim, while her statement, recorded under Section 164 of the Cr.P.C. It is also submitted that petitioner is a man of clean antecedent. While concluding the argument, it is submitted that 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, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as victim denied the allegations of kidnapping/sexual assault 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 Bihariganj P.S. Case No. 164 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 Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Katyayan/-

U		T	
---	--	---	--

