

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62124 of 2021

Arising Out of PS. Case No.-81 Year-2020 Thana- BEERPUR District- Begusarai

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Vikash Kumar @ Vikash Poddar Son of Permanand Poddar @ Pramanand Poddar Resident of Village - Singhaul Ward No.01, P.s.- Muffasil (Singhaul O.P.), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 11-10-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Birpur P.S. Case No. 81 of 2020, lodged under Sections 363, 366(A) of the Indian Penal Code.

As per prosecution case, the allegation of kidnapping with the purpose of marriage is there in the F.I.R.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that antecedent of petitioner is clean and he is in custody since 18.08.2020. He further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed

upon him by the Court. Learned counsel for the petitioner further submits that other co-accused namely Munna has also moved for bail before this Court which was rejected but certain observations were given to renew his prayer for bail after certain period of framing of charge.

Learned counsel for the State opposes the prayer for bail and submits that the victim girl was recovered and upon recovery, her statement under Section 164 of Cr.P.C. was recorded wherein she has categorically named the present petitioner and made allegation not only of kidnapping but of rape also.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, his bail application is hereby **rejected**.

Liberty is hereby granted to the petitioner to renew his prayer for bail when his trial shall not be concluded within 9 months from the date of passing of this order.

(Dr. Anshuman, J.)

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