

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63271 of 2021**

Arising Out of PS. Case No.-30 Year-2021 Thana- NAYAGAON District- Begusarai

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DHEERAJ KUMAR @ DHEERAJ KUMAR YADAV Son of Jay Kishore
Yadav Resident of Village - Dariyapur, P.S.- Nayagown, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Vaishnavi Singh
For the Opposite Party/s : Mr.Rajendra Nath Jha

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 11-04-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 366 of the Indian Penal Code.

As per the prosecution case, this petitioner along with other accused persons kidnapped the niece of informant on 03.06.2021 and thereafter left her on 05.06.2021 near her parental house.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is submitted that occurrence took place on 03.06.2021 but FIR was lodged on 07.06.2021 after due deliberation and with fabricated allegations. It is next submitted that petitioner has been implicated in the case in order to put pressure upon



him to marry with niece of the informant. The medical board has not found any sign of recent sexual assault and assessed the age of victim to be 19 years. The victim in her statement u/s 164 of the Cr. P. C stated that petitioner established physical relation with her on the pretext of marriage but later on he refused to marry. Petitioner claims clean antecedent and is in custody since 14.09.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case, the period of custody of the petitioner, age of the victim and report of the medical board, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st class, Begusarai in connection with Nayagaon PS case No. 30/2021.

(Prabhat Kumar Singh, J)

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