

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64364 of 2021

Arising Out of PS. Case No.-108 Year-2020 Thana- CHOUTARWA District- West
Champaran

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RAKESH KUMAR Son of Late Rama Prasad @ Late Ramanand Modanwal
Resident of Village - Khadda Bazar, P.S.- Hanumanganj, Distt.- Kushinagar,
Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-05-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 366A of the
Indian Penal Code.

As per the prosecution case, it is stated by the
informant that her minor daughter was taken by his cousin
(*phuphera* brother) the petitioner herein. Inspite of search, she
was not to be found.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. The
daughter of the informant returned and her statement was
recorded under section 164 Cr.P.C wherein she has not made
any statement about any maltreatment by the petitioner or any



other person. The petitioner is in custody since 23.8.2020 and investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation, the contents of the statement under section 164 Cr.P.C and the petitioner having remained in custody for more than 1 year 7 months, the petitioner is directed to be enlarged on bail in connection with Chautarwa P.S. Case no. 108 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate I, Bagha, District West Champaran.

(Partha Sarthy, J)

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