

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3674 of 2023

Arising Out of PS. Case No.-82 Year-2022 Thana- GHOSWARI District- Patna

Devendra Mistri Son Of Late Dilchan Mistri Resident Of Village- Paijana,
P.S.- Ghoswari, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 363, 354, 406, 420, 504 and 34 of the Indian Penal Code.

Prosecution case in nutshell is that co-accused Rita Devi and Kanchan Devi came at the house of complainant and asked her to accompany them, where she was made to sit in a tempo, on the point of pistol. It is further alleged that the complainant was brought to Mokama railway station where co-accused Dhiraj Kumar took her to Delhi and kept her there 13 days. Again she was brought to Barh and before a Notary a forged marriage certificate was prepared and again took her to Patna.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Petitioner is uncle of the co-accused Dhiraj Kumar who took away the victim to Delhi and forcibly married to her. There is no specific overt-act of abduction of the victim made by the petitioner rather it is a general and omnibus allegation against him. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 30.08.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ghoswari P.S. Case No. 82 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Barh, District Patna.

(Sunil Kumar Panwar, J)

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