

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6924 of 2023

Arising Out of PS. Case No.-871 Year-2022 Thana- BARACHATTI District- Gaya

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SHOLE KUMAR @ SHOLAY KUMAR Son of Late Arjun Mahto Resident
of village - Sinduar, P.S.- Mohanpur, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dineshwar Mishra, Mr. Ajit Kr. Singh, Adv.

For the Opposite Party/s : Mr.Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 09-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed
by the petitioner in a case instituted for the offence under
Section 366A of the Indian Penal Code.

As per allegation in the FIR, while daughter of the
informant went out for tuition, she did not return. On search,
informant came to know that petitioner has kidnapped her with
intention to marry her.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. In fact, there is love affair between the petitioner and
daughter of the informant. Statement of the victim girl was
recorded u/s 164 Cr.P.C. in which she has stated that out of her



own sweet will, she has eloped from her house with the petitioner and went to Bangalore and petitioner established physical relationship with the victim girl with her consent. She has not raised finger against the petitioner for any forceful activity. Age of the daughter of the informant has been accessed as 17 and half years by the lower court. Petitioner has got no criminal antecedent and he is languishing in judicial custody 25.5.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Sherghati in connection with Barachatti (Mohanpur) P.S. Case No. 871 of 2022.

(Sunil Kumar Panwar, J)

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