

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13481 of 2023

Arising Out of PS. Case No.-319 Year-2022 Thana- KHAGARIA District- Khagaria

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SANJEEV KUMAR S/o Late Rambilash Sharma R/o Village- Dhushmuri,
Bishanpur, P.S.- Muffasil, Distt- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 03.06.2022
in connection with Khagaria (Muffasil) P.S. Case No. 319 of
2022, F.I.R. dated 14.04.2022 for the offences punishable under
Sections 363, 366(A) and 34 of the Indian Penal Code.

According to prosecution case, the minor daughter of the
informant was kidnapped by the petitioner and co-accused for
the purpose of solemnizing marriage. It is further alleged that
some other co-accused persons helped them in this kidnapping.

Learned counsel for the petitioner submits that petitioner
has clean antecedent and he has falsely been implicated in the
present case and as per allegation in the FIR the informant has
alleged that the petitioner has kidnapped his daughter who is

aged about thirteen years with the intention to marry her. Learned counsel for the petitioner submits that the allegations in the FIR are false and fabricated and petitioner has not committed any offence as mentioned in the FIR and the victim was recovered and in her statement recorded under Section 164 of Cr.P.C., she has firmly stated that she went from her house out of her own sweet will and nobody has kidnapped her.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the victim was minor at the time of alleged occurrence and it appears that at the influence of petitioner victim has left her house.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Khagaria (Muffasil) P.S. Case No. 319 of 2022 pending in the Court of learned Chief Judicial Magistrate, Khagaria.

Prayer is refused.

(Rajesh Kumar Verma, J)

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