

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23103 of 2023

Arising Out of PS. Case No.-187 Year-2022 Thana- PALANWA District- East Champaran

Akash Kumar S/O Rambabu Patel Resident Of Village- Chainpur, P.S.-
Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samir Kumar, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-05-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Palanwa P.S. Case No. 187 of
2022 dated 26.08.2022 registered for the offence punishable
under Section 363, 366A and 371 read with 34 of the Indian
Penal Code and section 8 of the POSCO Act.

As per the prosecution case, when the informant's
daughter went to attend call of nature, the co-accused persons
Chandan Kumar and Kameshwar Yadav kidnapped her for the
purpose of marriage. When the informant and his wife went to
the house of the co-accused persons then the accused persons
started abusing and assaulting the informant.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Learned counsel further submitted that the victim in her statement recorded u/s 164 of the Cr.P.C has stated that she left her home of her own will. There was love affairs between both the parties. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.11.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the medical board assessed the age of the victim in between 17 ½ to 18 ½ years.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Palanwa P.S. Case No. 187 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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