

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20252 of 2023

Arising Out of PS. Case No.-370 Year-2021 Thana- KARAHGAR District- Rohtas

Matang Kumar, Male, aged about 20 years, Son Of Shiv Prasad Ram Resident
Of Village - Akorhi, P.S. - Kargahar, Distt. - Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishor Singh, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks bail in connection with Kargahar P.S. Case No. 370 of 2021 dated 23.12.2021, instituted for the offences punishable under Sections 363, 366(A), 147, 148, 341, 323, 307, 447, 504 of the I.P.C.

3. The prosecution case, in short, is that informant's daughter, namely, 'X' who is aged about 15 years, has been kidnapped by the petitioner and other co-accused persons from the market while the informant's wife went to purchase medicine. When the informant went to petitioner's house to enquire, the petitioner's parent assaulted the informant and his family with *lathi*, *danda* and iron rod caused injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. It is further submitted that victim's statement under Section



164 Cr.P.C. has been recorded in which she has not supported the case of kidnapping. The victim has specifically stated that petitioner has not kidnapped her. Learned counsel further submits that petitioner is aged about 20 years. It is further stated that the date of occurrence, as alleged is 06.12.2021 and the F.I.R. has been lodged on 23.12.2021. There is inordinate delay in lodging the F.I.R. without any explanation for the delay. Lastly, it has been submitted that the petitioner is in custody since 04.01.2023 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court of Chief Judicial Magistrate, Sasaram, District-Rohtas in Kargahar P.S. Case No. 370 of 2021.

(Khatim Reza, J)

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