

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21865 of 2023

Arising Out of PS. Case No.-30 Year-2022 Thana- GAYA MUFASIL District- Gaya

MD. SHAHBAN @ MD. SHABAN @ MD. SABAN SON OF MD.
ASGHAR @ MD. ASGAR Resident of village - Bhusanda, P.S. - Muffasil,
Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ujjawal Kumar Singh

For the Opposite Party/s : Mr. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-05-2023 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 363, 366A of the Indian Penal Code.

The prosecution case, in brief, the informant alleged that the petitioner kidnapped her daughter, aged about 16 years, on the pretext of solemnization of marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The victim girl was recovered and her statement has been recorded under section 164 of Cr.P.C. which is annexed as Annexure-2, wherein, she



did not support the prosecution version and stated that she went from her home and solemnized marriage with the petitioner out of her own sweet will. She did not whisper any complicity of the petitioner in the alleged offence. It is further submitted that the petitioner has got no criminal antecedents and languishing in judicial custody since 9.12.2022.

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 custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Muffasil P.S. Case No. 30 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 Judicial Magistrate, 1st Class, Gaya.

(Sunil Kumar Panwar, J)

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