

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25443 of 2023

Arising Out of PS. Case No.-232 Year-2022 Thana- TARAIIYA District- Saran

Golu Kumar Singh @ Golu Kumar Kushwaha, Son of Vijay Kumar Singh,
Resident of Village-Pachbhinda, P.S-Taraiya, Distt-Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Taraiya P.S. Case No.232 of 2022 registered for the
offences punishable under Sections 366-A and 363 of the Indian
Penal Code.

3. The accused/petitioner is not named in the FIR and
is in custody since 11.09.2022.

4. Allegation against the petitioner is to kidnap the
minor daughter of the informant aged about 17 years along with
other co-accused persons while she was going to attend the
coaching class on 09.07.2022 at about 10.00 am.

5. It is submitted by learned counsel that petitioner
has been falsely implicated with present case as his love affairs



with daughter of informant was not accepted by family of victim girl including informant. It is further submitted that after recovery, statement of victim was recorded under Section 164 of the Cr.P.C., where she supported the allegation of kidnapping but negate the allegation of sexual assault. It is further submitted that the victim went upto Delhi with this petitioner and remains there for six or seven days, which clearly implies that she accompanied her own with this petitioner and allegation of kidnapping is only an afterthought just to aggravate the allegation under the influence of parents. While concluding argument, it is submitted that love affairs with petitioner also admitted by victim girl, where petitioner is a man of clean antecedent and moreover investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances and by taking note of the fact as statement of victim suggests love affairs, where there is no allegation of sexual assault, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since



11.09.2022, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Chapra in connection with Taraiya P.S. Case No.232 of 2022, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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