

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 26014 of 2023

Arising Out of PS. Case No.-332 Year-2022 Thana- DARAUNDA District- Siwan

PREM KUMAR Son of Rajendra Sah Resident of Village - West Hadsar
(Harsar), P.S.- Daraunda, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Amit Kumar, Advocate

For the Opposite Party/s : Mr Raj Kishor Singh, 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 Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Daraunda Police Station (for brevity, **PS**) Case No 332 of 2022 dated 03.12.2022 registered for the offence punishable under Sections 363, 366A of Indian Penal Code.

As per prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant while she went out of her house to attend call of nature. The petitioner



used to talk with the victim through mobile phone.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner bears clean antecedent, as stated in paragraph 3 of the bail petition. He is in custody in this case since 12.12.2022. It is further submitted that the CDR/CAF indicate that there was no talk between the petitioner and the victim on mobile phone.

Learned APP has vehemently opposed the bail petition of the petitioner. He has submitted that the victim has not been recovered.

Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Siwan in Daraunda PS Case No 332 of 2022 dated 03.12.2022.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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