

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32332 of 2023

Arising Out of PS. Case No.-269 Year-2018 Thana- PAROO District- Muzaffarpur

Amlesh Kumar, S/o Late Chandrika Rai, R/o-Delwa Bajitpur, P.S.-Paroo,
Distt.-Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 04-08-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Paroo P.S. Case No.269 of 2018 registered for the offences
punishable under Sections 363 and 366-A read with 34 of the
Indian Penal Code.

3. The accused/petitioner is named in the FIR and is
in custody since 21.12.2022.

4. Allegation against the petitioner is to kidnap the
minor daughter of informant along with other named co-accused
persons for the purpose of illicit intercourse/marriage.

5. It is submitted by learned counsel that petitioner
has been implicated with this case for the reason that petitioner
was in love affairs with daughter of informant as their affairs



was not accepted by family members being a person of different religion. It is submitted that the victim is now major and solemnized her marriage out of her own sweet will with the petitioner. It is submitted that even from statement of victim, which was recorded immediately after her recovery not suggesting anything regarding sexual assault against this petitioner. While concluding argument, it is submitted that investigation of this case is 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 fact as allegation of sexual assault is not appears available against this petitioner from statement of victim recorded under Section 164 of the CrPC, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 21.12.2022, 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 Additional Chief Judicial Magistrate-III, Muzaffarpur in



connection with Paroo P.S. Case No.269 of 2018, subject to the
conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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