

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24789 of 2022

Arising Out of PS. Case No.-452 Year-2021 Thana- MANIYARI District- Muzaffarpur

MITHUN KUMAR S/O DILIP SAH R/o village- Chainpur, Madarsa, P.S.-
Maniyari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mrs.Gulnar Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Maniyari P.S. Case No. 452 of 2021 registered for the offences punishable under Sections 363 and 366(A) of the Indian Penal Code.

The allegation is regarding the petitioner having kidnapped the victim girl.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 27.12.2021. The learned counsel for



the petitioner has further submitted, by referring to the statement made by the victim girl under Section 164 of Cr.P.C. before the learned Magistrate, that though the petitioner had taken the victim girl forcibly to station from where they had boarded a train but on the way the victim girl had got down and contacted the R.P.F, hence there is no allegation of any untoward incident to have been committed by the petitioner. Lastly, it is submitted that considering the period of incarceration of the petitioner, some sympathy be shown to the petitioner.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that there is no allegation of the petitioner having committed any untoward incident with the victim girl as is apparent from the statement made by the



victim girl under Section 164 Cr.P.C., apart from the fact that the petitioner is languishing in custody since more than one year, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail 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, Muzaffarpur (West) in connection with Maniyari P.S. Case No. 452 of 2021.

(Mohit Kumar Shah, J)

S.Sb/Saurav

U		T	
---	--	---	--

