

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27610 of 2023**

Arising Out of PS. Case No.-310 Year-2022 Thana- KUDRA District- Kaimur (Bhabua)

Dhannu Kumar Son Of Madan Chaudhary R/O Village- Sonaon, P.S.- Kudra,
District- Kaimur (bhabhua)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashikant, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 03-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with Kudra
P.S. Case No. 310 of 2022 registered for the offence under
Sections 363, 366-A/34 of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 20.11.2022.

4. The allegation against the petitioner is to kidnap
minor daughter of the informant, aged about 16 years, alongwith
other co-accused persons for the purpose of illicit
intercourse/marriage.

5. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner falsely implicated with
present case as love affairs of this petitioner with daughter of



informant was not accepted by her family including informant. It is submitted that even statement of victim recorded under Section 164 of the Cr.P.C. be taken into consideration it appears that she went up to Surat with this petitioner and living there for 15-16 long days together after solemnizing marriage in a temple. It is further submitted that said statement also failed to suggest regarding specific allegation, *qua*, physical relation established out of that marriage or any sexual assault committed by this petitioner upon victim. It is also submitted that medical report is also not suggesting any sexual assault. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of the statement of victim as recorded under Section 164 of the Cr.P.C., which suggest solemnization of marriage at Surat, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 20.11.2022, accordingly, above named petitioner



is directed to be released on bail in connection with Kudra P.S.
Case No. 310 of 2022 on furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand only) with two sureties of the like
amount each to the satisfaction of learned Judicial Magistrate 1st
Class, Mohania/concerned court, subject to the conditions as
mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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