

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31140 of 2023

Arising Out of PS. Case No.-68 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Bablu Dhobi S/O Late Kundan Dhobi R/O Village- Masourha, P.S-
Durgawati, Distt.- Kaimur At Bhabua.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 11-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Mohania P.S. Case No.68 of 2023 registered for the offence
under Sections 363, 366-A and 34 of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 04.02.2023.

4. The allegation against the petitioner is to kidnap
the minor daughter of informant alongwith other co-accused
persons aged about 17 years for the purpose of illicit
intercourse/marriage.

5. It is submitted by learned counsel appearing on
behalf of the petitioner that as love affair of petitioner with the
daughter of informant was not accepted by her family members



including informant, present false implication was raised. It is submitted that alleged minor daughter of informant was recovered after a week and from her statement as recorded under Section 164 of the Cr.P.C. nothing incriminating can be gathered, where she completely denied the allegation of sexual assault/kidnapping against the petitioner rather stated that she out of her own sweet will solemnized her marriage with petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above and by taking note of the fact that victim negated the allegation of sexual assault and kidnapping completely rather solemnized her marriage out of her own sweet will, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 04.02.2023, accordingly, petitioner, above named, is directed to be released on bail in connection with Mohania P.S. Case No.68 of 2023 on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabua at Kaimur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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