

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36563 of 2023

Arising Out of PS. Case No.-56 Year-2022 Thana- KUDHNI District- Muzaffarpur

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VISHWAKARMA KUMAR @ ANOJ KUMAR S/O RATAN SINGH @
RAM RATAN SINGH R/O Village- Dharmuha, P.S- Kudhani, Distt.-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-07-2023 Heard learned counsel for the petitioner, informant
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 366/34 of the Indian
Penal Code.

3. As per prosecution case, when the wife of the
informant went to attend the nature's call about 11 P.M. and fled
away with the co-accused Raj Kumar. It is further alleged that
on hectic search, the informant came to know that his wife was
being enticed away by the co-accused Raj Kumar.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR. The



victim girl has recovered and her statement recorded u/s 164 of the Cr.P.C., in which she does not take the name of this petitioner but her statement recorded u/s 161 of the Cr.P.C, which is mentioned in para-52 of the case diary, she stated about the complicity of the petitioner and co-accused Raj Kumar. There is a contradiction between the victim statements recorded u/s 161 and 164 of the Cr.P.C. He is languishing in judicial custody since 09.02.2022.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Kudhni P.S. Case No. 56 of 2022.

(Sunil Kumar Panwar, J)

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