

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45503 of 2023

Arising Out of PS. Case No.-51 Year-2023 Thana- KATEYA District- Gopalganj

Sarfaraj Ahmad Son Of Late Khursid Ahmad Resident Of Village- Kajipur,
Ps- Fulwariya, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramadhar Shekhar
For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 363, 366(A), 120(B), 34 of the Indian Penal Code. However, the charge sheet has been submitted u/s 363, 366(A) of I.P.C.

As per prosecution case, the allegation against the petitioner along with other accused persons is that they have kidnapped the wife of the informant with intention to get marry of petitioner with her.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case due to ulterior motive. As per statement of the victim recorded u/s 164 of



Cr.P.C., she has not whispered about the complicity of the petitioner. She has specifically stated in her statement that she was married with the informant by her parents against her will for which she was not happy and left her matrimonial house out of her own sweet will. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. The petitioner is languishing in judicial custody since 07.02.2023.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Kateya P.S. Case No.51 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 the learned Chief Judicial Magistrate, Gopalganj.

(Sunil Kumar Panwar, J)

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