

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50405 of 2022

Arising Out of PS. Case No.-238 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

SUNNY KUMAR Son of Sanjay Paswan Resident of Village - Lakho Chhaki
Tola, Ward No.- 12, P.S.- Muffasil, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 12-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Mufassil P.S. Case No. 238 of 2022, registered for the offence punishable under Sections 366, 366A, 504 and 506/34 of the Indian Penal Code.

The allegation is regarding the petitioner and other co-accused persons having enticed and taken away the minor daughter of the informant with oblique intention.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is



having a clean antecedent and he is languishing in custody since 3.6.2022. The learned counsel for the petitioner has submitted, by referring to the statement made under Section 164 Cr.P.C. before the learned Magistrate that the victim girl had voluntarily fled away from her house on account of being reprimanded by her family members and had taken the petitioner along with her for roaming around, however, she was caught by the police in the night of 2.6.2022. Thus, it is submitted that the victim girl has neither levelled any allegation regarding the petitioner having committed any untoward incident nor has stated about the complicity of the petitioner in the alleged occurrence, hence, it is submitted that the petitioner be granted the privilege of bail.

Per contra, the learned APP 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 on record as also considering the materials available in the case diary, this Court finds that the victim girl had, on her own volition, left her house on account of being reprimanded by her family members for the purposes of roaming around and on the way, she had taken the petitioner along with her, however, she has not alleged regarding any untoward incident having been committed by the petitioner with her, hence, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Mufassil P.S. Case No. 238 of 2022.

(Mohit Kumar Shah, J)

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