

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 52174 of 2023

Arising Out of PS. Case No.-288 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Kamal Kumar Son of Nathuni Choudhary @ Nathuni Ram, Resident of
village - Balathua (Beda), P.S. - Sasaram, Distt. - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashikant, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-08-2023 Heard learned counsel for the parties.

2. The petitioner seeks pre-arrest bail in connection with Sasaram (Town) P.S. Case No. 288 of 2023, registered for the offences punishable under Sections 363 and 366 of the Indian Penal Code.

3. Prosecution story, in brief, is that while the niece of the informant left her house along with the petitioner to go to her in-law's house, the petitioner persuaded and took her away.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has not committed any offence. He has falsely been implicated in the present case at the instance of local politics. The victim girl is aged about 30 years and the petitioner is aged about 20 years. Learned counsel further submitted that the victim girl has not



gone with the petitioner rather she has gone to her husband's house. Petitioner has no criminal antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions of the parties and considering the fact that the court below has recorded the statement of the victim girl under Section 164 Cr.P.C., in which she has not stated that the petitioner in any way had participated in the alleged offence, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Sasaram, Rohtas in connection with Sasaram (T) P.S.Case No.288 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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