

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61353 of 2023

Arising Out of PS. Case No.-243 Year-2023 Thana- JOKIHAT District- Araria

Sarwan Biswas@ Sarwan Kumar@Shravan Bishwas Son Of Jagdish Biswas
Resident Of Village- Pechaili, Ward No. 13, Ps- Mahalgaon, Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar Singh
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-09-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Jokihat (Mahalgam) P.S. Case No. 243 of 2023 dated 18.05.2023 registered for the offences punishable under Sections 363 and 366A read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner was made accused in this case because he is father of the co-accused, Abhishek Biswas. Learned counsel further submitted that the victim was not traceless and her statement u/s 164 has already been recorded. Learned counsel further submitted that the victim was not forced to have illicit intercourse with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 04.06.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria in connection with Jokihat (Mahalgam) P.S. Case No. 243 of 2023.

8. The application stands allowed.

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(Chandra Prakash Singh, J)

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