

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58754 of 2022

Arising Out of PS. Case No.-333 Year-2021 Thana- RIVILGANJ District- Saran

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VIJAY PRASAD S/o Anil Prasad Resident of village- Akil Tola, P.S.-
Maharajganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Rivilganj P.S. Case No. 333 of 2021 for the offence registered under Sections 363, 366A and 372 of the Indian Penal Code.

The accused persons including the petitioner herein are alleged to have kidnapped the victim girl.

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 04.06.2022. The learned counsel for



the petitioner has referred to the statement made by the victim girl under Section 164 of Cr.P.C before the learned Magistrate to submit that the victim girl had voluntarily fled away with the petitioner and solemnized marriage with him, hence, the petitioner is not having any complicity in the matter.

I have heard the learned counsel for the parties and gone through the materials available on record as also perused the impugned order dated 18.07.2022, from which it is apparent that the girl was a minor on the date of occurrence, *de hors* the fact that she had voluntarily fled away with the petitioner and solemnized marriage with him, hence, though I am not inclined to grant bail to the petitioner at the moment, however, I deem it fit and proper to direct for release of the petitioner on bail immediately upon framing of charges by the learned trial Court subject to such conditions as may be deemed fit and appropriate to be imposed by the learned Court of Judicial Magistrate-1st Class, Saran at Chapra in



connection with Rivilganj P.S. Case No. 333 of 2021.

The petition stands disposed off with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

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