

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60454 of 2022

Arising Out of PS. Case No.-258 Year-2022 Thana- CHIRAIYA District- East Champaran

MUNNA KUMAR Son of Wakil Prasad R/v- Balua, P.S.- Chiraiya, District-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abbhishek Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 366, 504/34 of the IPC.

Allegedly, the petitioner and others are said to have under
a conspiracy kidnapped the daughter of informant for the
purpose of marriage.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place. The
allegation leveled against the petitioner is not specific rather
general and omnibus in nature. The statement of the victim was
recorded u/s 164 Cr.P.C. in which she has supported the
prosecution case. Learned counsel has relied upon the judgment



of the Apex Court in the case of *Deepak Gulati vs. State of Haryana* as reported in (2013) 7 SCC 675 and submitted that the victim is a major and she with her sweet will left her home. The family members of the victim want to marry her with the petitioner forcibly for which, petitioner is not ready, as such, he has been implicated in this case. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case and considering the judgment of the Apex Court, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Chiraiya P.S. Case No.258 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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