

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64571 of 2023

Arising Out of PS. Case No.-46 Year-2022 Thana- CHENARI District- Rohtas

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Kali Charan Son Of Sukkiram Resident Of Village-Panchmukhi Mandir E4
Bharaat Ghar, Police Station-Pul Prahlad Pur, District-North East New Delhi-
110044, At Present Resident Of Mohalla-Chungi No. 2 Lal Kuan, Near
Mahjidiya Clinic, New Delhi-110044. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-10-2023 Heard Mr. Raghunandan Kumar Singh, learned
counsel appearing on behalf of the petitioner and Mr. Md. Nazir
Ansari, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with
Chenari P.S. Case No.46 of 2022 dated 14.02.2022 registered for
the offence punishable under Sections 363 and 365 of the Indian
Penal Code.

3. Prosecution story, in brief, is that the minor daughter
of the informant was allegedly kidnapped by the petitioner and his
sons.

4. Learned counsel appearing on behalf of the petitioner
submits that petitioner is the father of accused Sumit
Kumar@Sandeep Kumar. He submits that the victim in her
statement made under Section 164 Code of Criminal Procedure,
has specifically stated that she voluntarily ran away with the son of

the petitioner and solemnized marriage with him and they are living with each other on their free will. Learned counsel submits that petitioner has no role in the alleged kidnapping of the minor daughter of the informant. He also submits that petitioner is aged about 53 years and his antecedent is also clean.

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

6. Considering the nature of allegation made in the FIR, as well as, the statement of the victim girl made under Section 164 of Code of Criminal Procedure, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, 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. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Rohtas at Sasaram in connection with Chenari P.S. Case No.46 of 2022 dated 14.02.2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

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