

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.71391 of 2023

Arising Out of PS. Case No.-91 Year-2023 Thana- SAHEBPUR KAMAL District- Begusarai

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DEVENDRA THAKUR, aged about 56 years, Male, S/o- RUPKANT THAKUR, Resident of Village- Raghunathpur Ps- S.Kamal Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar, Advocate
For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 07-11-2023 Heard Mr. Braj Bhushan Poddar, learned counsel appearing on behalf of the petitioner and Mr. Mukesh Kumar Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with S. Kamal P.S. Case No. 91 of 2023 dated 08.04.2023 registered for the offence(s) punishable under Sections 363, 366A/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the son of the petitioner has kidnapped the minor daughter, aged about 16 years, of the informant.

4. Learned counsel appearing on behalf of the petitioner submitted that from perusal of the FIR, it appears that



no specific allegation has been made against the petitioner, who is the father of co-accused Rahul Kumar, that he was involved in the kidnapping of alleged minor daughter of the informant. It is further submitted that victim has been recovered and her statement has been recorded under Section 164 of Cr.P.C. in which she has not made any allegation against the petitioner.

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 facts that victim has been recovered and her statement has been recorded under Section 164 of Cr.P.C and specific allegation of kidnapping the daughter of the informant is against son of the petitioner, 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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge-VI-cum-A.C.J.M.IV, Begusarai in connection with S. Kamal P.S. Case No. 91 of



2023, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

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