

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69886 of 2023

Arising Out of PS. Case No.-79 Year-2023 Thana- MAIN P.S. District- Gaya

Guddu Kumar, Son of Siya Saran Bind, R/o village - Alalpur, P.S. - Ghoshi,
Dist. - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Main P.S. (Pai Bigha OP) Case No. 79 of 2023, registered for the alleged offences under Sections 366(A), 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the minor daughter of the informant was kidnapped and the informant named the petitioner and three other persons for being involved in the kidnapping of his minor daughter.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has been named in this case merely on suspicion by the informant. There is general and omnibus



allegation against the petitioner and other co-accused persons and no specific allegation has been made against him. The victim girl was recovered and she recorded her statement under Section 164 Cr.P.C. wherein she clearly stated that she was having a love affair with her brother-in-law co-accused Manish Kumar and on her call, she went to Hilsa on a bike with him. They also cohabited and her family members were knowing about her relationship. There is no allegation against this petitioner in the statement of the victim girl. The petitioner is in custody since 25.06.2023 and the charge sheet has been submitted. The petitioner is having clean antecedent.

5. Learned APP opposes the submissions made on behalf of the petitioner. The learned APP submits that the petitioner is named in the FIR and it is a case of kidnapping of a minor daughter of the informant and the victim girl was sexually exploited on the pretext of marriage.

6. Having regard to the submissions made hereinabove and considering the fact that no specific allegation has been made against the petitioner in the statement recorded under Section 164 Cr.P.C. and further considering the submission of charge sheet along with period of custody of the petitioner, he is directed to be released on bail on furnishing bail



bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Court of learned Additional Chief Judicial Magistrate-II, Gaya, in connection with Main P.S. Case No. 79 of 2023, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

U		T	
---	--	---	--

(Arun Kumar Jha, J)

