

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65318 of 2022

Arising Out of PS. Case No.-18 Year-2022 Thana- MUNGER MUFFASIL District- Munger

MD. MUKHTAR S/O Late Md. Salim R/O Mai Sikandarpur, P.S- Mufassil,
District- Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-03-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under section 363, 365 and 366 (A) of the Indian Penal Code.

As per the prosecution case, the accused persons are alleged to have kidnapped the minor daughter of the informant.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The victim in her statement recorded under section 164 of the Cr. P.C . stated the



the name of the petitioner in the crime alleged. Learned counsel has further submitted that there is general and omnibus allegation against the petitioner. Learned counsel has submitted that from the perusal of the FIR the victim was not forced to have illicit relationship with another person. Similarly situated co-accused has already been granted bail by the co-ordinate bench *vide* order dated 08.02.2023 passed in Cr. Misc. No. 32566 of 2022. The petitioner is also accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 04.08.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the medical report shows the age of the victim as 16 to 17 years.

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Munger in connection with Mufassil P.S. Case No. 18 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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