

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70029 of 2023

Arising Out of PS. Case No.-368 Year-2020 Thana- MAHUA District- Vaishali

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1. BIRENDRA KUMAR SINGH @ BIRENDRA SINGH Son of Shivjee Singh R/o vill - Chhatwara, Khas Patti, P.S. - Mahua, Distt. - Vaishali
 2. Fulkeshan Singh Son of Shivjee Singh R/o vill - Chhatwara, Khas Patti, P.S. - Mahua, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-11-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with Mahua P.S. Case No. 368 of 2020 registered for the offence under Sections 366A/34 of the Indian Penal Code.

3. As per prosecution case, the informant alleged that his daughter, aged about 16 years was abducted the co-accused Sujeet Kumar connivance with other accused persons including the petitioners.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The petitioners are father and uncle of the main co-accused Sujeet



Kumar due to which they have falsely been implicated in this case. The victim girl was recovered whose statement u/s164 has been recorded which is annexed as Annexure. As per victim's statement, she stated that the co-accuse Sujeet kumar forcibly married with her and committed rape. She further stated other two co-accused persons namely, Shubham and Shali also committed rape with her. But she did not whisper complicity of the petitioner regarding physical misbehave or abuse. They have got no criminal antecedent and languishing in judicial custody.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Mahua P.S. Case No. 368 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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