

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72029 of 2022**

Arising Out of PS. Case No.-264 Year-2022 Thana- CHAND District- Kaimur (Bhabua)

Sandeep Vishwakarma S/O Nawrasi Vishwakarma @ Naurasi Lohar R/O
Village Ledari, P.S- Chand, District District- Kaimur At Bhabua

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 20-03-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Chand
P.S. Case No. 264 of 2022 registered for the offence under
Section 363 and 366(A) of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 30.08.2022.

The allegation against the petitioner is to kidnap the
minor niece of informant, aged about 16 years for the purpose of



illicit intercourse/marriage.

Learned counsel appearing on behalf of the petitioner submitted that petitioner was falsely implicated in this case for the simple reason as the love affairs of petitioner with niece of informant was not accepted by informant and other family members. It is further submitted that victim, while recorded her statement u/s 164 of the Cr.P.C., completely denied the occurrence of kidnapping and sexual assault against petitioner. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, and by taking note of statement of victim as recorded u/s 164 of the Cr.P.C., where allegation as regard to sexual assault and kidnapping is absent against petitioner, coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Chand P.S. Case No. 264 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the



like amount each to the satisfaction of learned Additional Chief
Judicial Magistrate - IV, Kaimur at Bhabua/concerned Court,
subject to the conditions as mentioned under Section 437(3) of
the Cr.P.C.

(Chandra Shekhar Jha, J)

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