

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70463 of 2022

Arising Out of PS. Case No.-79 Year-2022 Thana- BATHNAHA District- Sitamarhi

Devendra Singh, S/o Late Narayan Singh @ Late Ram Narayan Singh
Resident of village-Sonbarsa Lalitpur, P.S.-Bathnaha, District-Sitamarhi,
(Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate

For the Opposite Party/s : Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The accused/petitioner is named in the FIR and apprehend his arrest in connection with Bathnaha P.S. Case No.79 of 2022 registered for the offences punishable under Sections 363 and 366-A read with 34 of the Indian Penal Code.

The allegation against the petitioner is to help the main co-accused, namely, Satyam Kumar, who is his son to kidnap the minor daughter of the informant aged about 16 years for the purpose of illicit intercourse/marriage.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case only for the reason that the petitioner is the father of main co-accused Satyam Kumar. It is submitted that victim through her statement



as recorded under Section 164 of the CrPC denied any involvement of this petitioner and also denied the factum of kidnapping and sexual assault in totality. While concluding argument, it is submitted that petitioner is a man of clean antecedent.

Learned Additional Public Prosecutor opposes the prayer of bail.

In view of the above-mentioned facts and circumstances, as implication of petitioner appears being father of main co-accused Satyam Kumar against whom thrust of allegation is available, let the above-named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi/concerned court, in connection with Bathnaha P.S. Case No.79 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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