

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2637 of 2023

Arising Out of PS. Case No.-535 Year-2021 Thana- MADHAURAH District- Saran

ROHIT KUMAR Son of Mr. Chandrama Sah R/V- Narharpur, P.S-
Morhowrah, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh
For the Opposite Party/s : Mr.Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 19-04-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Morhowrah (Gaura O.P.) P.S. Case No. 535 of 2021, registered for the offences punishable under Sections 363, 366(A), 34 of the Indian Penal Code.

The allegation against the petitioner is that he, along with co-accused Sanjay Sah had kidnapped the minor daughter of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent. The FIR was lodged after 17 days of the occurrence. The petitioner has no criminal antecedent and is under custody since 25.08.2022. He has submitted further that



it is a case of lover and affection. The age of the victim is 18-20 years, as per medical report.

On the other hand, the learned APP has opposed the prayer for bail and submitted that there is direct allegation against the petitioner of kidnapping and the victim, in her statement under Section 164 of the Cr.P.C. has corroborated the occurrence and has stated that the petitioner forcibly got her seated on motorcycle and fled away.

Considering the above-mentioned facts and circumstances as well as period of custody and clean antecedent of the petitioner, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Morhowrah (Gaura O.P.) P.S. Case No. 535 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application



before the court below for cancellation of the bail
of the petitioner and the learned court below will
take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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