

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71001 of 2022

Arising Out of PS. Case No.-303 Year-2022 Thana- GAURICHAK District- Patna

Abhishek Uraon Son of Sri Raju Uraon R/V- Kori, P.S.- Simariya, District-
Chatra (Jharkhand)

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-06-2023 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
Gaurichak P.S. Case No. 303 of 2022 registered for the offence
under Section 363 and 365 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 27.06.2022.

The allegation is to kidnap the minor daughter of
informant aged about 17 years.

Learned counsel appearing on behalf of the petitioner



submitted that the present allegation is out of failed love affairs, as same was not accepted by the parents of victim. It is submitted that as per school certificate the date of birth of daughter of informant is 12.12.2004. It is further submitted that from the statement of victim, as recorded under Section 164 of the Cr.P.C., it appears that she solemnized her marriage out of her own sweet will with petitioner and denied in totality the allegations of kidnapping and sexual assault. While concluding the argument, it has been submitted that 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, while opposing the prayer of bail submitted that victim was minor as per school certificate on the date of occurrence.

Considering the facts and circumstances as mentioned above, as victim negated the allegations of sexual assault and kidnapping against the petitioner, where petitioner is in custody since 27.06.2022, 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 Gaurichak P.S. Case No. 303 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-VI
at Patna City, Patna/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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