

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70699 of 2022

Arising Out of PS. Case No.-346 Year-2022 Thana- BARHARA District- Bhojpur

SUNIL KUMAR S/O SANJAY RAM @ SANJAY PASWAN Resident of
village- Ramsahar, P.S.- Barahara, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-03-2023 Heard learned counsel appearing on behalf of the
parties.

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

The petitioner seeks bail in connection with Barahara
P.S. Case No. 346 of 2022 registered for the offence under
Sections 363 and 366A of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 14.07.2022.

The allegation against the petitioner is to kidnap
minor daughter of informant along with other co-accused
persons, for the purpose of illicit intercourse/marriage.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner has been falsely implicated in this case,



out of failed love affairs, for the reason that they belongs from different caste. It is submitted that even from the statement of victim, as recorded under Section 164 of the Cr.P.C. maximum allegation what appears against this petitioner is of attempt for sexual assault. It is further pointed out by learned counsel that though occurrence took place in front of informant, but the FIR was lodged after three days, where delay is not explained. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

Considering the facts and circumstances as mentioned above and by taking note of nature of allegation, where, petitioner is in custody since 14.07.2022 coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Barahara P.S. Case No. 346 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 C.J.M., Bhojpur at Ara/concerned court, subject to the condition as



mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Katyayan/-

U		T	
---	--	---	--

