

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73425 of 2022

Arising Out of PS. Case No.-257 Year-2022 Thana- MIRGANJ District- Gopalganj

Sashi Kumar Gupta @ Shashi Kumar Gupta Son of Munna Prasad Resident
of Mohalla- East Mohallah Mirganj, Ward no. 10, P.S- Mirganj, Dist-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
19.09.2022 in connection with Mirganj P.S. Case No. 257 of
2021, F.I.R. dated 21.07.2022 for the offences punishable under
Sections 363 and 366A of the Indian Penal Code.

According to prosecution case, petitioner with the help
of other accused persons had kidnapped the daughter of the
informant and harassed her physically and mentally.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R.

The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the victim girl was recovered and her statement was recorded under Section 164 of the Cr.P.C. in which she has categorically stated that the petitioner and the co-accused person, namely, Ravi Kumar who is the elder brother of the petitioner has forcibly abducted her. They further submits that at the time of occurrence, the victim was minor and apart from the 164 statement of the victim, other material has also come during investigation which suggests the involvement of the petitioner in the present occurrence.

Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with Mirganj P.S. Case No. 257 of 2022 pending in the court of learned Chief Judicial Magistrate, Gopalganj.

Prayer is refused.

(Rajesh Kumar Verma, J)

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