

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78352 of 2023

Arising Out of PS. Case No.-271 Year-2023 Thana- BIHPUR District- Bhagalpur

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KANHAIYA KUMAR @ KANHIYA MODI SON OF RAJENDRA MODI
R/O VILLAGE- BABHANGAMA, P.S.- BIHPUR, DISTRICT- BHA-
GALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajnish Kumar Singh

For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 366(A)/34 of the Indian Penal Code.

3. According to the prosecution case, the petitioner is said to have abducted the minor daughter of the informant on the pretext of solemnization of marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of impugned order, it appears that the victim girl was recovered and her statement has been recorded under section 164 of Cr.P.C.,



wherein, she did not support the prosecution version and stated that she went from her home out of her own sweet will with the petitioner. She did not whisper any complicity of the petitioner in the alleged offence. The petitioner has got no criminal antecedent and he is languishing in judicial custody since 6.7.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Bihpur P.S. Case No. 271 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Naugachia.

(Sunil Kumar Panwar, J)

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