

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7698 of 2024

Arising Out of PS. Case No.-163 Year-2022 Thana- MASAUDHI District- Patna

Birju Kumar @ Birja Yadav S/O Ram Ishwar Yadav @ Ram Ishwar Prasad
R/O Village- Daulata, P.S- Dhanarua, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Masaurhi P.S Case No. 163 of 2022 registered for
the offences punishable under Sections 366(A) of the
I.P.C.

3. As per allegation in the FIR, petitioner has
abducted the daughter of the informant.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case.
He further submits that daughter of the informant has
not been abducted she has been living in her house with



her mother and father. She went to her relative and returned to her parents in the late hours and hence on suspicion the informant lodged FIR. It is also submitted that petitioner is in judicial custody since 27.07.2023. Petitioner has no criminal antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M, Masaurhi in connection with Masaurhi P.S Case No. 163 of 2022.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-*



sheet has not been submitted then the petitioner shall be released on bail on the above conditions and he shall be present physically on each and every date before the trial court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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