

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5434 of 2024

Arising Out of PS. Case No.-377 Year-2023 Thana- MANER District- Patna

Vikash Kumar S/o Shyam Babu Rai Resident of village-Daudpur, P.S.-
Shahpur, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Singh
For the Opposite Party/s : Mr.Manoj Kumar

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

ORAL ORDER

4 05-04-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Maner P.S. Case No.377 of 2023 registered for the offence
under Sections 366A/34 of the Indian Penal Code.

3. Allegation against the petitioner is to have
taken away the minor daughter of the informant for the purpose
of the illicit intercourse.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, was not named in the FIR,
his name surfaced during course of investigation. It is submitted
that no any witnesses stated specifically against this petitioner



as regard to involvement in the present occurrence, where, in the present case main accused is Subham Kumar. It is also submitted that in the statement as recored under Section 164 of the Cr.P.C., victim herself stated that no sexual assault and force was made upon her by this petitioner rather she has voluntarily married with Subham Kumar and also stated that she is major. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 05.08.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner and as it appears from statement of victim as recorded under Section 164 of the Cr.P.C. that there is no involvement of the present petitioner in the present occurrence, let the petitioner, above named, is directed to be released on bail in connection with Maner P.S. Case No.377 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J. M. 1st Class, Danapur.

(Ramesh Chand Malviya, J)

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