

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10748 of 2024

Arising Out of PS. Case No.-119 Year-2023 Thana- ANTICHAK District- Bhagalpur

Raju Mushar @ Raju Kumar S/O Santosh Mushar @ Santosh Kumar
Rishidev Village- Faujdari, Ps.- Pirpanti, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 16-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Antichak P.S. Case No. 119 of 2023, lodged on 03.11.2023
under Sections 363, 366(A), 120(B) of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against two named accused persons including the present
petitioner with an allegation that he has kidnapped the
informant's daughter with a view to marry.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the alleged victim girl has been recovered and
she has narrated her statement under section 164 Cr.P.C. before
the learned Magistrate and accepted that she has entered into
marriage with the petitioner. Counsel further submits that the



allegation of ingredients of kidnapping is not there as per the statement of the victim girl under section 164 Cr.P.C.

5. Learned counsel for the petitioner submits that the criminal antecedent of the petitioner is clean and he is in custody since 07.11.2023.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. Upon the specific query of the Court from the counsel for petitioner that whether charge has been framed in this case or not, counsel submits that as per his knowledge, charge has not been framed in this case.

8. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st, Bhagalpur in connection with Antichak P.S. Case No. 119 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J.)

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