

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20630 of 2024

Arising Out of PS. Case No.-336 Year-2023 Thana- SUGAULI District- East Champaran

Niraj Kumar @ Niraj Bhagat, aged about 20 years, Male, s/o Ramashray Bhagat, R/o Village- Nanhkar, P.S. Sugauli, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No. 2, Advocate

For the Opposite Party/s : Mr. Binod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Sugauli PS Case No.336 of 2023 dated 08.08.2023, instituted under Sections 365, 366, 366-A of the Indian Penal Code.

3. The allegation against the petitioner is that he kidnapped the daughter of the informant and when the informant went to the house of the accused to know whereabouts of his daughter his family members abused him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There was love affairs between the petitioner and the victim due to which she herself had left her house. It is further submitted that statement of the victim has been recorded under Section 164 Cr.P.C in which she has clearly stated that she



herself had gone with the petitioner out of her own sweet will and none had kidnapped her. It is further submitted that both have performed marriage and living peaceful conjugal life. Further submission is that the informant has also accepted the marriage of his daughter with the informant and this is why the present bail application has been affidavited by the informant himself. Both the parties have compromised the dispute. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Motihari, East Champaran, in Sugauli PS Case No.336 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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