

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21239 of 2024

Arising Out of PS. Case No.-575 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

Sudarshan Kumar S/o Late Kamal Ray R/o vill - Naurangiya, P.S. - Lakhaura
(Muffasil), Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 30-08-2024 Heard the parties.

2. The petitioner seeks bail in connection with a case registered for the offence punishable u/s 363, 366(A) and 34 of the IPC and section 8 of POCSO Act.

3. As per the prosecution case, allegation against the petitioner and other co-accused persons is that they kidnapped the minor daughter of the informant for the purpose of marriage.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No such occurrence in the manner as alleged, has ever taken place. He has been falsely implicated in this case due to ulterior motive. There is general and omnibus allegation against the petitioner. The statement of the victim was recorded u/s 164 Cr.P.C., in which, she has not made allegation against the petitioner of any physical assault but has only stated



that petitioner was willing to marry her. It is submitted that the charge has been framed on 26.06.2024, which is also mentioned in para-2 of the supplementary affidavit. The petitioner has no criminal antecedent and has been languishing in custody since 20.01.2024.

5. Learned APP for the State opposed the prayer for bail.
6. Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/Successor Court in connection with Muffasil P.S. Case No.575 of 2023, subject to the following conditions:

(1) Petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Anjani Kumar Sharan, J)

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