

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23078 of 2024

Arising Out of PS. Case No.-456 Year-2022 Thana- SAUR BAZAR District- Saharsa

PAPPU KUMAR S/O KAILASH YADAV R/O VILLAGE- PAMA, WARD
NO.-1, P.S- SAURBAZAR, DISTT.- SAHARSA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Saurbazar P.S. Case No. 456 of 2022 dated 04.09.2022 registered for the offence punishable under Sections 366A, 363 and 120B of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious



possession of the petitioner. There is love affair between the victim and the petitioner Pappu Kumar. Learned counsel further submitted that the victim was not forced to have illicit intercourse with another person. Similarly situated co-accused has already been granted regular bail by this court vide order dated 17.08.2023 passed in Cr. Misc. No. 49197 of 2023. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.05.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. It is further submitted that the victim has stated the name of the petitioner in her statement recorded u/s 164 of the Cr.P.C. Earlier the anticipatory bail application of the petitioner was rejected by the co-ordinate Bench of this Court vide order dated 21.07.2023 passed in Cr. Misc. No. 37505 of 2023.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saharsa in connection with Saurbazar P.S. Case No. 456 of 2022.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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