

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24382 of 2024

Arising Out of PS. Case No.-44 Year-2023 Thana- MAIGRA District- Gaya

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Shashikant Kumar SON OF Sahdeo Bharti Resident of village- Aurvatand
PS- maigra district -Gaya

... .. Petitioner

Versus

1. The State Of Bihar
2. Ms A Daughter Of Jagdish Bhunyan Resident Of Village- Pachancha Ps-
Maigra Dist- Gaya

... .. Opposite Partys

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Appearance :

For the Petitioner : Mr.Murad Ashraf, Adv
For the Opposite Party : Mrs. Sharda Kumari, APP

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

ORAL ORDER

5 17-09-2024 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 Maigra P.S. Case No. 44/2023 dated 03.06.2023 registered for the offence punishable u/s 366A, 376, 120B, 504 and 506 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 and the petitioner is alleged to have established physical relationship with the informant's daughter on the pretext of the marriage.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has submitted that the occurrence took place on 01.02.2023 and the complaint case was lodged on 28.04.2023 after a delay of 3 months and there is no explanation for this delay. Learned counsel has further submitted that the victim has not raised any alarm while she was being taken to Surat, Gujarat. As per the Medical Report, the age of the victim is assessed as 19 years. The victim in her statement recorded u/s 161 of the Cr.P.C. has stated that she has solemnized marriage with the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.10.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the victim is a minor girl. It is further submitted that the victim in her statement recorded u/s 161 and 164 of the Cr.P.C. has supported the prosecution case.

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, Gaya in connection with Maigra P.S. Case No. 44/2023, with the condition ;-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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