

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43368 of 2024

Arising Out of PS. Case No.-207 Year-2023 Thana- SANOKHAR District- Bhagalpur

Sah Mojim @ Shah Mujim Son of Late Shah Hamid, R/o Vill.- Machhipur,
P.S.- Lodipur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baijnath Sah, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 19-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Sanokhar (Amdanda) P.S. Case No.207 of 2023 in G.R. No.4662 of 2023, registered for the offences punishable under Sections 366, 120B, 34 of the Indian Penal Code and subsequently Section 376 Indian Penal Code has been added.

3. As per prosecution case, the informant alleged that his wife went to consult a doctor but she could not return home and on search he could not trace her, thereafter he came to know that the co-accused Shah Nashim took away his wife with intention to marry her with the help of accused persons including the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the victim is aged about 30 years married



woman and in her statement recorded under Section 161 of Cr.P.C. she has not made any allegation against the petitioner. Learned counsel submits that the allegation made by the victim in her statement under Section 164 of Cr.P.C. against the petitioner is an afterthought and contrary to earlier statement which is not supported by the medical report of the victim. He further submits that petitioner is in custody since 30.11.2023 having clean antecedent and he undertakes to cooperate in the investigation. Charge sheet has already been submitted in this case.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties and also considering the period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1C, Bhagalpur in connection with Sanokhar (Amdanda) P.S. Case No.207 of 2023 in G.R. No.4662 of 2023.

(Sunil Dutta Mishra, J)

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