

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42510 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- MINAPUR District- Muzaffarpur

Hemant Kumar @ Muskan, S/o Rajesh Kumar Shahi, R/o village - Harka
Kalyan, P.S - Minapur, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this present case, the petitioner is apprehending his arrest in connection with Minapur P.S. Case No. 05 of 2024, registered for the offences under Sections 363 and 366(A)/34 of the Indian Penal Code.

3. As per prosecution case, petitioner and another co-accused person kidnapped the minor daughter of the informant.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The petitioner and the victim girl had been studying in the same coaching institute and there was love affair between them. On the date of occurrence, the victim herself went to the house of



the petitioner and, on next day, she was taken to the police station by the mother of the petitioner. Statement of the victim girl was recorded under Sections 161 and 164 Cr.P.C. and the victim girl did not say about commission of any sexual overt act by the petitioner. The victim girl also denied to undergo medical examination. The allegations against the petitioner are out and out false and there is no material against the petitioner, who is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation against the petitioner and further considering the clean antecedent of the petitioner and possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Muzaffarpur, in connection with Minapur P.S. Case No. 05 of 2024, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

U		T	
---	--	---	--

