

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42469 of 2024

Arising Out of PS. Case No.-103 Year-2024 Thana- BAIRIYA District- West Champaran

Deepak Kumar son of Late Khakhan Prasad Village- Balua Rampurwa Police station- Bairiya District- west Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Brij Kishor Mishra, Advocate
For the State	:	Mr. Mohammed Arif, APP
For the Informant	:	Mr. Sunil Kumar No. III, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 29-11-2024 Heard learned counsels for the parties.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 363 and 366A of the Indian Penal Code.

3. The prosecution case in brief is that all the F.I.R. named accused persons, including this petitioner, kidnapped minor daughter of informant for the purpose of marriage.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has falsely been implicated in this case merely because he happens to be full brother of co-accused Gulshan Kumar. It is further submitted that the victim in her statement recorded under Section 164 of the Cr.P.C. has denied the prosecution case and has categorically stated that she is in love with co-accused Gulshan Kumar and she on her own will



solemnized marriage with him after fleeing away from her parental house. Charge-sheet has already been submitted that the petitioner is in custody since 06.04.2024. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, rival submissions, nature of accusation, clean antecedents of the petitioner, statement of the victim recorded under Section 164 of the Cr.P.C. and period of custody, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Bettiah, District- West Champaran in connection with Bairiya P.S. Case No. 103 of 2024.

(Prabhat Kumar Singh, J)

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