

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43636 of 2024

Arising Out of PS. Case No.-375 Year-2023 Thana- RAJAPAKAR District- Vaishali

Prakash Kumar S/o Ram Babu Ray R/o Village-Mirza nagar,P.S.-Mahua,
Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Samarjeet Singh, Adv.

For the Opposite Party/s : Md. Aslam Ansari, APP

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

ORAL ORDER

2 08-07-2024 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 Raja Pakar P.S. Case No. 375 of 2023 dated 27.10.2023 registered for the offences punishable u/s 366 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner along with the co-accused persons is alleged to have kidnapped the minor daughter of the informant for the purpose of marriage or for doing illegal act.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. As Annexure-P/2 the informant's daughter has filed an application before the Court below in which she has stated her age 19 years and she disclosed that her husband was not good with her, so she left her house and she refused to go with her parents as well as her husband. It is further submitted that there is nothing on record which shows that the victim was forced to have illicit intercourse with another person. There was love affair between the petitioner and the victim. The victim in her statement recorded under Section 164 of the Cr.P.C. disclosed that she left her house out of her sweet will. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that victim is a minor girl.

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, in connection with Raja Pakar P.S. Case No. 375 of 2023.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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