

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54313 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- BHAGWANGANJ District- Patna

Bittu Kumar S/o- Late Jay Kumar Ram @ Jay Kumar Das Village-
Kishunpur, P.S. Bihta, Dist. Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Singh, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 29-10-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Bhagwanganj P.S. Case No. 61 of 2024 instituted for the offence
under Section 366(A) of the Indian Penal Code.

3. Prosecution case in a nutshell is that petitioner had
abducted the sister of the informant for the purpose of marriage.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 06-05-2024. Petitioner is a
man of clean antecedent.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Learned counsel submits that there is no eye witness to the occurrence. It is submitted that there is no specific allegation against the petitioner in the entire FIR which will make out any case under section 366(A) of the IPC. There is land dispute between the parties. Petitioner has no concern with the sister of the informant. Statement of the victim was recorded under Section 164 of the Cr.P.C and there is no whisper of allegation pertaining to sexual assault. It is next submitted that victim refused for her medical examination.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that paragraph No. 7 of the case diary is the statement of independent witness, who has supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and there being no cogent material available in the case diary against the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of



Court below/concerned Court in connection with
Bhagwanganj P.S. Case No. 61 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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