

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62211 of 2023

Arising Out of PS. Case No.-245 Year-2023 Thana- BARHARA District- Bhojpur

Akash Kumar, S/O Vijay Yadav R/O Village- Ram Pahal Ka Tola, P.S.
Barhara, Dist. Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Nath Sinha, Advocate.

For the State : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

10 26-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Khwashpur Barhara P.S. Case No. 245 of 2023 dated 29.04.2023, registered for the offences punishable under Sections 363 and 368-A of the Indian Penal Code.

3. Allegedly, the petitioner has kidnapped the minor daughter of the informant for the purpose of marriage.

4. Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on account of land dispute. He further submits that the Petitioner has got no criminal antecedent. There is previous



land dispute between the parties.

5. The petitioner has been languishing in jail since 02.05.2023.

6. It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail submitting that the nature of allegation is serious in nature and as per the case diary, the Prosecution witnesses have supported the allegation against the petitioner. He also submits that the petitioner is named accused in the F.I.R. as per which the Petitioner along with co-accused who are parents and sister of the Petitioner has kidnapped the victim with intent to marry her and she is still traceless.

8. The Superintendent of Police, Bhabhua, has also appeared in virtual mode and apprised the Court regarding the status of investigation as per which the victim is still traceless.

9. Considering the nature of allegation and the fact that the victim is still traceless, I am not persuaded to



enlarge the Petitioner on bail.

10. Accordingly, the prayer for bail of the
petitioner stands rejected.

(Jitendra Kumar, J)

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