

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61326 of 2023

Arising Out of PS. Case No.-78 Year-2023 Thana- KOILWAR District- Bhojpur

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SUJIT KUMAR @ SUJIT SHARMA, age about 22 years, Male, SON OF
SANJAY SHARMA, RESIDENT OF VILLAGE - VIRAMPUR, PS-
KOILWAR, DISTT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 29-02-2024 Heard Mr. Awadhesh Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Shailendra Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Koilwar (Gidha OP) P.S. Case No. 78 of 2023 dated
15.02.2023 registered for the offence(s) punishable under
Sections 366(A)/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioner
along with other co-accused had abducted the informant's
daughter with an intention to marry.



4. Learned counsel appearing on behalf of the petitioner submitted that the main allegation is against his brother/co-accused, Sumit Sharma. Victim's statement recorded under Section 164 Cr.P.C. confirms the fact that petitioner is nowhere concerned in the kidnapping of the daughter of the informant. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, the main allegation is against co-accused, Sumit Sharma and the statement recorded under Section 164 Cr.P.C. is not specific in any manner that petitioner was also involved in kidnapping of the daughter of the informant, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara, Bhojpur in connection with Koilwar (Gidha OP) P.S. Case No. 78 of



2023, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Purnendu Singh, J)

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