

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55303 of 2023

Arising Out of PS. Case No.-22 Year-2021 Thana- PAUTHU District- Aurangabad

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KRISH KUMAR @ CHANDAN KUMAR @ VIKKI KUMAR son of
Doman Chauhan Village- Feshra Ps- Pauthu Dist- Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s :	Mr.Ashok Kumar Singh, Advocate
For the Opposite Party/s :	Mr.Ram Naresh Ray, Addl Public Prosecutor
	Mr. Prasenjit Pritam, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 01-05-2024 Heard learned counsel for the petitioner, the State and the informant.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 366A/120B/34 of the Indian Penal Code.

3. As per the prosecution case, petitioner and one co-accused Parvati Kumari kidnapped informant's minor daughter with intention to solemnize marriage. Earlier also, petitioner had harassed the victim. She is traceless.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to village politics. Victim is major at the time of occurrence as she is 18 years and 10 months old as per date of birth certificate issued by the Government Middle School, Fesar (annexure 2). F.I.R. has been lodged after inordinate delay of 52 days without any explanation which renders the entire prosecution case doubtful. Petitioner claims clean antecedent.

5. Learned counsel for the informant submits that



during investigation, informant submitted written application (annexure P/4 to the counter affidavit) before the SP, Aurangabad as well as a petition (annexure P/5) before the Court of Chief Judicial Magistrate, Aurangabad stating therein about innocence of petitioner and his false implication due to suspicion.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VI cum Special Judge, POCSO Act Aurangabad in Pauthu Police Station Case No. 22 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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