

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56073 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- PALIGANJ District- Patna

Raushan Kumar S/o Sudama Yadav R/o Barewan, Khanpura, P.S. - Khiri
More, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ujjawal Kumar S/o Vijay Singh R/o Khapura, P.S. - Paliganj, Distt. - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shadab Akhter, Adv
For the Opposite Party/s : Mr. Zainul Abedin, APP

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

ORAL ORDER

2 20-08-2024 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 Paliganj P.S. Case No. 144 of 2024 dated 09.04.2024 registered for the offences punishable u/s 363, 511, 455, 120B, 504 read with section 34 of the Indian Penal Code, Section 12 of the POCSO Act and Section 25(1-B) (a), 26/ 35 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused person holding country made pistol are alleged to have entered the house of the informant with the intention to kidnap the minor niece of the informant. On being opposed by



the informant, the accused persons started assaulting him and threatened to kill. On *halla (noise)* by the informant, both the accused persons were caught hold of with the help of the villagers. One unknown person from the crowd took away the said country made pistol under conspiracy. Both the accused persons were handed over to the police and accordingly, the F.I.R has been lodged.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As per the statement of the victim recorded u/s 161 and 164, there is love affair between the petitioner and the victim girl. No incriminating article and country made pistol have been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 10.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation levelled against the petitioner 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, Patna in connection with Paliganj P.S. Case No. 144 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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