

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56054 of 2024

Arising Out of PS. Case No.-113 Year-2021 Thana- KALYANPUR District- East Champaran

Bittu Kumar Son Of Sita Ray @ Shital Rai Resident Of Village - Pakari
Dichhit, Ward No.- 07, P.S. - Kalyanpur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Kalyanpur P.S. Case No. 113 of 2021 registered under Sections 363, 366 and 34 of the Indian Penal Code.

3. As per F.I.R., this petitioner along with other accused persons seduced and kidnapped the wife of informant and his son on the pretext of marriage. It is further alleged that the accused persons also took away gold, silver, bank passbook and Rs. 95,000/- cash.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case due to oblique motive. Further



submission is that the First Information Report has been lodged after an inordinate delay of 24 days without any plausible explanation. From perusal of F.I.R., it appears that victim is married lady having one child. She took away ornaments and bank passbook with her, meaning thereby nobody has kidnapped her, rather she herself left her house along with her son. Informant in her statement recorded under Section 164 Cr.P.C., has not levelled any allegation against this petitioner, but subsequently he roped the petitioner with a false allegation. Petitioner claims clean antecedent. It is lastly submitted that both the parties have entered into compromise, a copy of compromise petition is annexed as Annexure-2 to the bail petition.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the fact that both the parties have compromised the present case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight 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 Additional Chief Judicial Magistrate-IV,



Motihari, East Champaran in connection with Kalyanpur P.S.
Case No. 113 of 2021, subject to the conditions as laid down
under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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