

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63636 of 2024

Arising Out of PS. Case No.-167 Year-2024 Thana- BHELDI District- Saran

Durgesh Kumar S/O Subhash Singh R/O Village- Baraki Sirsiya, P.S- Bheldi,
Distt.- Saran At chapra.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 01-10-2024 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 Bheldi P.S. Case No. 167 of 2024 dated 04.05.2024 registered for the offences punishable u/ss 363 and 366A of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There was love affair between the victim and the petitioner. The victim in her statement recorded under Section 164 of the Cr.P.C. has stated that the petitioner is her villager



and he was in touch with her. On the date of occurrence, she went with the petitioner in the house of his cousin for about 1 ½ months and now she wants to go with his parents and also stated that she did not marry the petitioner. She also stated that she left her house on account of scolding by her parents. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.06.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the victim is a minor girl.

6. Considering the aforesaid facts and circumstances of the case 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, Chapra in connection with Bheldi P.S. Case No. 167 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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