

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63658 of 2024

Arising Out of PS. Case No.-175 Year-2023 Thana- PATAHI District- East Champaran

Raushan Kumar @ Raushan Prasad Kushwaha S/O- Rajkumar Bhagat R/o
Village- Bokane Kala, P.S.- Patahi, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Ms. Usha Kumari, Advocate
For the State	:	Mr. Ashok Kumar Singh, APP
For the Informant	:	Mr. Bal Govind Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-12-2024 Heard learned counsels for the parties.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 636, 341, 323, 307, 379 and 34 of the Indian Penal Code.

3. As per prosecution case, all the F.I.R. named accused persons, including this petitioner, kidnapped daughter of informant and when the informant went to house of this petitioner to enquire about the whereabouts of his daughter, he was assaulted by all the accused persons.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has falsely been implicated in this case. As a matter of fact, the victim wanted to marry this petitioner when the petitioner refused to marry her and in



retaliation this false and concocted case has been lodged. From perusal of the F.I.R. it is apparent that the victim is a major and as per F.I.R., the victim of this case had gone with this petitioner on 18.05.2022 but the F.I.R. has been lodged by the informant after lapse of more than one year i.e. on 06.06.2023 and there is no explanation for the same. Petitioner has got no criminal antecedents and he is in custody since 15.06.2024. Moreover, charge-sheet has already been submitted.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submitted that petitioner is named in the F.I.R. and there is specific accusation that he, along with other accused persons, kidnapped daughter of informant.

6. Considering the aforesaid facts and circumstances of the case, rival submissions, delay in lodging of the F.I.R., period of custody and clean antecedents of the petitioner, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran, Motihari, in connection with Patahi P.S. Case No. 175 of 2023 (G.R. No.



3488 of 2023).

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

