

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67252 of 2024

Arising Out of PS. Case No.-304 Year-2024 Thana- BARH District- Patna

Sumant Kumar S/O Sri Ashok Ram R/O Village- Kenar Kalam, P.S.-
Sarmera, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner seeks bail in connection with Barh P.S. Case No. 304 of 2024 registered for the alleged offences under Section 363 of the Indian Penal Code and later on added Section 366A of the Indian Penal Code.

03. As per prosecution case, the minor daughter of the informant went missing and subsequently the involvement of the petitioner came to knowledge of all for taking away the minor daughter of the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The daughter of the informant is not minor and she is aged about 19 years. She recorded her statement before the Judicial



Magistrate, Barh under Section 164 of the Indian Penal Code wherein she stated that she performed marriage in the temple with petitioner and she also showed her apprehension about danger to her life from her parents. The daughter of the informant was never abducted or kidnapped and both the petitioner and victim are major and the victim refused to undergo medical checkup and it shows she is on friendly terms with the petitioner. Petitioner is in custody since 30.06.2024 and charge sheet has been submitted against the petitioner. Petitioner is aged about 20 years and he is having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the statement of the victim girl and also considering submission of charge sheet, period of custody and clean antecedent of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Barh, Patna/concerned court, in connection with Barh P.S. Case No. 304 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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