

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67393 of 2023

Arising Out of PS. Case No.-394 Year-2023 Thana- BIHPUR District- Bhagalpur

Amar Kumar S/O Ranjeet Sah R/O Village- Bishnupur, P.S- Nagar, Distt.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha
For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 366(A) of the Indian Penal Code.

3. Petitioner is said to have kidnapped the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is no eye witness in the present case. He submits that the victim girl recovered and herself gave statement under Section 161 of the Cr.P.C. in which she has stated that due to altercation with Amit Kumar Jha she went to Delhi. He submits that the victim, in her statement recorded under Section 164 of the Cr.P.C., has not supported the prosecution case. He submits that the victim girl has refused for



her medical examination. He submits that occurrence took place on 22.06.2023 but the FIR has been lodged on 24.06.2023 after delay of 2 days without explaining any reasonable cause of delay. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail submits that the victim is minor.

6. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bihpur (Bhawanipur) P.S. Case No. 394 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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