

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74406 of 2023

Arising Out of PS. Case No.-83 Year-2023 Thana- MIRGANJ District- Purnia

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1. Basudeo Kumar Roy Son Of Raju Ray Resident Of Village - Khagaha Rupaspur, Ward No.8, P.S. - Mirganj, District - Purnea
 2. Karu Ray @ Prabhat Kumar Son Of Gopal Ray @ Gopal Mahto Resident Of Village - Khagaha Rupaspur, Ward No.8, P.S. - Mirganj, District - Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Pandey

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-01-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 363, 366/34 of the Indian Penal Code.

3. As per prosecution case, allegation against the petitioners is of abduction of the informant/victim, aged about 19 years and petitioner no.1 is said to have forcible solemnized marriage with the victim.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is submitted vide



para 12 of the petition that the all witnesses have stated about love affairs between the victim and the petitioner no.1, so the allegation as alleged in the FIR is not attracted against the petitioners. The victim also has not stated any allegation of physical assault against the petitioners in her statement recorded under section 164 of the Cr.P.C. The petitioners have got no criminal antecedent and languishing in judicial custody since 16.8.2023.

5. Learned APP appearing for the state and learned counsel for the informant opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Mirganj P.S. Case No. 83 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Purnea.

(Sunil Kumar Panwar, J)

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