

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74838 of 2024

Arising Out of PS. Case No.-223 Year-2024 Thana- SAHPUR District- Bhojpur

Md. Raja Shah Son of Late Rasid Sah @ Md Rashed Shah Village- Birampur,
P.S.- Kiolwar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 04-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Shahpur P.S. Case No.
223 of 2024, instituted for the offences punishable under
Sections 366-A and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons have kidnapped the minor
daughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case.
Learned counsel for the petitioner also submits that the
allegation levelled against the petitioner is general and omnibus
in nature. It is further submitted that the victim girl in her



statement recorded under Section 164 Cr.P.C. has stated that her age is about 17 years and she eloped with the petitioner on her own will because they have love affair in between them. Statement of the victim recorded under Section 164 Cr.P.C. does not corroborate with the prosecution story and no medical examination of the victim has been conducted in this case. The petitioner is in custody since 20.06.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shahpur P.S. Case No. 223 of 2024.

(Rudra Prakash Mishra, J)

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