

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82997 of 2023

Arising Out of PS. Case No.-373 Year-2022 Thana- SARAIYA District- Muzaffarpur

Bhola Kumar Son Of Tulsi Ram Resident Of Village - Koiriya Nijamat, P.S. -
Paru, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rathore Vasundhara

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 363, 366(A)/34 of the Indian Penal Code.

It is a case of commission of kidnapping of the

minor sister of the informant.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely

been implicated in this case. For the alleged occurrence



of 30.05.2022, the F.I.R was registered on 05.06.2022 without explaining the delay. Though the victim in her 164 Cr.P.C statement has supported the factum of her kidnapping but she has not alleged any forceful sexual assault upon her against the petitioner. In fact, the petitioner and the victim girl were in love with each other and both have performed marriage. The marriage certificate has been annexed as Annexure-P/4 to the petition. The petitioner is languishing in custody since 16.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Asst. Chief Judicial



Magistrate-IV, Muzaffarpur in connection with Saraiya
(Jaitpur) P.S. Case No. 373 of 2022.

(Sunil Kumar Panwar, J)

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