

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1964 of 2024

Arising Out of PS. Case No.-397 Year-2023 Thana- DUMRAO District- Buxar

Gyan Prakash Singh @ Chunnu Singh Son Of Nagendra Singh @ Nagendra
Prasad R/O Village- And P.O.- Motha, P.S.- Karakat, District – Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nil Kamal
For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks regular bail in connection with
Dumraon P.S. Case No. 397 of 2023 registered for the offence
under Section 366 Indian Penal Code.

3. It is a case of abduction of the 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. He is custody since 09.10.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of FIR, case diary and impugned order dated 09.11.2023 alongwith statement of the victim recorded under Section 161 of the Cr.P.C. and statement of the victim recorded under Section 164 of the Cr.P.C., it appears that she has specifically stated the name of the petitioner for kidnapping of the victim and threatened to make photos viral of the victim with the petitioner but no allegation against the petitioner of sexual assault. But in conclusion of the investigation as stated in para 89 of the case diary that in the pregnancy test victim is found pregnant and so Investigating Authority added offence under Section 376 of IPC but no reinstatement recorded of victim.

7. Considering the aforesaid facts and circumstances of the case and also taking into account the period of custody, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, District – Buxar in connection with Dumraon P.S. Case No. 397 of 2023 with condition that if petitioner made



viral any photos of the victim with the petitioner then it must be treated as a misuse of bail and informant will proceed to the cancellation of bail.

(Ramesh Chand Malviya, J)

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