

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85391 of 2023

Arising Out of PS. Case No.-304 Year-2023 Thana- NAANPUR District- Sitamarhi

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Mohammad Akhtar @ Md. Akhtar son of Md. Jalil resident of village Rain
Khairka Ps- Runnisaidpur Dist- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Renu Devi, Wife of Raj Kishor Choudhary, Resident of Village+P.O.
Mahisautha, P.S. Nanpur, Dist. Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Shankar Kumar, Adv.
For the Opposite Party/s	:	Mr.Chandra Bhushan Prasad, APP
For the O.P. No.2	:	Mr. Ashok Kumar Jha, Adv.

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

ORAL ORDER

4 08-05-2024 Heard learned counsel for the petitioner and

learned APP for the State as also counsel for the O.P. No.2.

Perused the case diary.

2. The petitioner seeks bail in connection with

Nanpur P.S. Case No. 304 of 2023 instituted for the

offences under Sections 363, 366(A) of the Indian Penal

Code.

3. As per prosecution case, the allegation against

the accused persons including the petitioner is of kidnapping

the Informant's minor daughter.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that the date of occurrence is 22.06.2023 but, the F.I.R. has been instituted on 25.06.2023 which falsifies the prosecution case. The petitioner is not named in the F.I.R. and his name has surfaced in this case during investigation on the basis of disclosures made by the spy. The petitioner has no concern with the alleged offence. He further submits that in the statement of the victim girl made under Section 164 Cr.P.C., she has not whispered anything against the petitioner and has stated that she, on her own will, went to Delhi and also solemnized marriage with one Md. Shadab. The petitioner has no criminal antecedent and is languishing in judicial custody since 21.07.2023 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of



the petitioner as also the statement of the victim girl made under Section 164 Cr.P.C., 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 Court below/concerned Court in connection with Nanpur P.S. Case No. 304 of 2023.

(Rudra Prakash Mishra, J)

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