

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2105 of 2024

Arising Out of PS. Case No.-151 Year-2020 Thana- PARAIYA District- Gaya

Uttam Kumar Son Of Late Dwarika Yadav Resident Of Vill- Dumra, P.S.-
Paraiya, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Manisha Prakash, Adv.

For the Opposite Party/s : Mr. Abhay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Paraiya P.S. Case No. 151 of 2020 dated 17.06.2020 registered for the offences punishable u/s 363, 365, 366, 506/34 of the Indian Penal Code.

3. As per the FIR, the allegation against the petitioner is that he along with other co-accused persons is kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No such occurrence has ever taken place as alleged. There is general and omnibus allegation against the petitioner. The



victim in her statement recorded u/s 164 of Cr.P.C. has not supported the prosecution case. The victim, who is major, married the petitioner with her own sweet will and she was blessed with a male child. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances as well as the statement of the victim recorded u/s 164 of Cr.P.C., let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Payaiya P.S. Case No. 151 of 2020, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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