

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7360 of 2024

Arising Out of PS. Case No.-192 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

BRAJESH S/O HARWAM R/O VILLAGE- BUDPURA, P.S- BABINA,
DISTT.- JHASHI (U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan, Adv.

For the Opposite Party/s : Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 12-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered in connection with Mohania PS Case No. 192/2021 for the offences punishable under Sections 363 & 366(a)/34 IPC.

3. The learned counsel for the petitioner submits that the petitioner is a person of clean antecedent and has been falsely implicated in the instant case by the informant. It is next submitted that co-accused, Guddan Mian alias Alim Nai had come to this Court seeking regular bail by filing Cr. Misc. No. 68490/2021 and the same was allowed *vide* order dated 21.04.2022. It is next submitted that while considering the bail application of Guddan Mian, the Court had taken into consideration the fact that the victim had married Brajesh and her statement under Section 164 CrPC was recorded wherein she disclosed her age as 19 years and did not support the case of



the prosecution rather she stated that she wants to go back with her husband i.e., Brajesh. It is next submitted that the victim is the daughter of the informant for whose kidnapping the instant FIR was instituted. It is further submitted that since the victim has not supported the case of the prosecution and has married the petitioner, as such, petitioner be released on bail.

4. Learned A.P.P. opposes the bail application.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Mohania PS Case No. 192/2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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