

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53014 of 2024

Arising Out of PS. Case No.-810 Year-2023 Thana- MAHUA District- Vaishali

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Raju Kumar S/o Birendra Rai R/o vill - Nilkanthpur, P.S. - Mahua, Distt. -
Vaishali at Hajipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vijay Kumar S/O- Ram Somari Roy R/O-village-Vishunpur Tisiauta PS-
Tisiauta Dist Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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

ORAL ORDER

4 08-01-2025 Heard learned counsel for the petitioner and learned

APP for the State. None appears on behalf of the informant

despite valid service of notice. Perused the case diary.

2. The petitioner seeks bail in connection with Mahua

P.S. Case No. 810 of 2023 instituted for the offences under

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

3. Prosecution case, in short, is that this petitioner

along with other accused persons kidnapped the daughter of the

informant with bad intention.

4. Learned counsel for the petitioner submitted that the

petitioner is innocent and has falsely been implicated in the

present case. Learned counsel for the petitioner submitted that



general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has specifically stated that she left her house on her own sweet will and no compulsion was given by the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.01.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the statement of the victim under Section 164 of the Cr.P.C. as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Mahua P.S. Case No. 810 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

Alok Verma/-

(Rudra Prakash Mishra, J)

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