

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68507 of 2024

Arising Out of PS. Case No.-519 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

Md. Gulfaraj @ Gulab S/o- Late Md. Shahid Resident of Village- Khiribandh
PS- Jagdishpur By Pass, Dist- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raushan Paswan Son of Prakash Paswan Resident of village Sripur
Khiribandh,P.S. Jagdishpur (By-Pass T.O.P.), Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar No.6, Adv.

For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 17-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 366 A of the Indian Penal Code.

3. The case of the prosecution is that the sister of the informant was taken away by the petitioner to Khiribandh and from there, he took away the sister of the informant for the purpose of marriage and it is also alleged that he also took Rs. 50,000/- and some jewelleryes.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. He has got no criminal antecedent. During course of investigation, the victim has given her statement recorded under Section 164 of the Cr.P.C. and she has stated that she was on talking terms with the petitioner, both were liking each other. On the date of occurrence, the petitioner called her at Khiribandh Petrol Pump, she went there and after that he took her to Patna on the promise of marriage. When the father of the victim told her, she returned to her house at Bhagalpur. From perusal of the statement of the victim, it is quite clear that the only allegation against the petitioner is that he has taken her to Patna and after that she returned back home. There is no allegation of any other act against the petitioner. It is next submitted that initially the victim has gone to Khiribandh on the call of the petitioner. It is stated in the statement of the victim that she went to Patna with petitioner but she did not made any hue and cry in the way. It is further submitted that the petitioner is languishing in judicial custody since 26.11.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the



petitioner on bail **with a condition that the petitioner shall cooperate in the Stage of trial and shall not hamper the trial in any manner.** The above named petitioner is directed to be released on bail in connection with Session Trial No. 118 of 2024 (By-pass) P.S. Case No. 519 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Bhagalpur.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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