

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67345 of 2024

Arising Out of PS. Case No.-196 Year-2023 Thana- BACHHWARA District- Begusarai

Vivek Kumar @ Bibek Kumar @ Vivek S/o- Jagdish Ray @ Jagdish Rai
Village- Samsipur Diayara Ward No. 1, Dadupur P.S-Bachhwara, District-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 14-02-2025 Heard learned counsel for the petitioner and the State.
2. The petitioner seeks regular bail in a case registered for the offence punishable under sections 366, 379 of the Indian Penal Code.
3. As per the prosecution case, informant was married to one Nandani Kumari. Informant had purchased a mobile phone to his wife which was being used by her in talking with someone. Meanwhile she fled away from the matrimonial house with gold chain and cash Rs.10,000/-. Petitioner alleged that this petitioner enticed away informant's wife.
4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. F.I.R. has been lodged after inordinate delay of four days without any explanation which renders the entire prosecution case doubtful. Wife of informant left her matrimonial house at her own sweet will. Victim is major aged about 18 years. During investigation, in her statement under



section 181 of the Cr.P.C. she has categorically stated that due to quarrel with he her husband, she left the matrimonial house. However, due to pressure from the prosecution side, she has made contradictory statement u/s 164 Cr.p.C. stating that the petitioner on the point of pistol, abducted her and committed rape on her. Petitioner claims clean antecedent. Petitioner is in custody since 8.7.2024. Charge sheet has already been filed.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for regular bail of the petitioner is allowed. Let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in Bachhwara Police Station Case No. 196 of 2023.

(Prabhat Kumar Singh, J)

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