

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81600 of 2024

Arising Out of PS. Case No.-334 Year-2023 Thana- BANIAPUR District- Saran

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Raja Kumar @ Raja Babu S/o Raj Kumar Sah R/o Village- Serya, P.S.-
Baniyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered
under Sections 366-A and 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that co-accused Azad
Ansari along with the help of other co-accused persons
including this petitioner, kidnapped the daughter of informant
for the purpose of marriage.

4. Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case. Further submission is that
specific accusation of kidnapping the daughter of informant is
against co-accused Azad Ansari. The victim in her statement
recorded under Section 164 Cr. P.C had denied the prosecution
case and stated that she went along with co-accused Azad Ansari



and nobody kidnapped her. Similarly situated co-accused Golu Mahto @ Golu Kumar Mahto has already been granted bail by this Court *vide* order dated 22.05.2024 passed in Cr. Misc. No. 33923 of 2024. Petitioner has got clean antecedent.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the fact that specific accusation of kidnapping is against other co-accused person, similarly situated co-accused has already been granted bail, clean antecedent of the petitioner as well as the statement of victim recorded under Section 164 Cr.P.C., let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Baniyapur P.S. Case No. 334 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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