

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81411 of 2024

Arising Out of PS. Case No.-339 Year-2024 Thana- PIRPAINTI District- Bhagalpur

Md. Rocky @ Mohammad Rocky S/o Late Mohammad Shahid @ Late Md. Shahid Raja R/o village - Rajganj, P.S. - Pirpainty, Dist. - Bhagalpur
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP
For the Informant : Mr. S.M. Ashraf, Sr. Advocate
Mr. Rana Hason, Advocate
Ms. Homa Yunus, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 31-01-2025 Heard learned counsel for the petitioner, learned APP for the State, learned counsel for the informant and perused the case diary.

2. The petitioner seeks bail in connection with Pirpainty P.S. Case No. 339 of 2024, instituted for the offences punishable under Sections 341, 323, 366(A), 504, 506 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, minor daughter of the informant was kidnapped by the petitioner along with other co-accused person. It is further alleged that when the informant along with her husband reached at the house of the petitioner, they were abused and also attempted to assault by the accused persons.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that there is delay of two days in lodging the FIR. The victim fled away with the petitioner on her own will and also performed marriage with him. It is further submitted that the victim in her statement recorded under Section 183 BNSS has not mentioned anything against the petitioner. The victim has also refused for her medical examination. The petitioner is in custody since 24.07.2024 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Pirpainty P.S. Case
No. 339 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

