

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88975 of 2024

Arising Out of PS. Case No.-36 Year-2024 Thana- Pahelja P.S. District- Saran

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Dharmbir Kumar @ Suraj Kumar S/O Ram Autar Singh Resident of village -
Bharpura, P.S- Sonapur, District,- Saran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Mrs. X W/O Nitesh Kumar Singh R/O Vill.- Gangajal Barka Bagicha, P.S-
Pahleja, Dist- Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Manish Chandra Gandhi
For the Informant	:	Mr. Ajay Kumar Singh No. 1
For the Opposite Party/s	:	Mr.Anita Kumari

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Pahleja P.S. Case No. 36
of 2024 dated 24.04.2024 registered for the offences punishable
u/ss 363 and 366A of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the
co-accused person are alleged to have kidnapped the minor
sister-in-law of the informant by enticing her.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. The name of the petitioner has surfaced in this case



merely on suspicion. The victim in her statement recorded under Section 164 of the Cr.P.C. has stated that she went with the petitioner to Sikandrabad of her own will and solemnized marriage in the temple. It is further submitted that the victim has not raised any alarm while she was being taken to Sikandrabad. There was love affair between the parties. It is further submitted that the medical board assessed the age of the victim as 22 years. The victim was not forced or seduced to have illicit intercourse with another person. The petitioner has one criminal antecedent as stated in para 3 of the supplementary affidavit filed on behalf of the petitioner. The petitioner is in custody since 05.05.2024.

5. Learned counsel for the petitioner as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran, Chapra in connection with Pahleja P.S. Case No. 36 of 2024, with the following condition/s:-



(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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