

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40621 of 2016

Arising Out of PS.Case No. -359 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

=====

1. Arbind Sah Son of Om Prakash Sah, resident of Village Dadwarh, P.S. Mohania District Kaimur, Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. R.B.Roy, Raman, APP

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 28-11-2016

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in connection with Mohania P.S. case No. 359 of 2016, registered under Section 366 IPC.

The father-in-law of the victim lodged the case that his daughter-in-law was traceless from the house from 14.07.2016. Her belongings were also not present. The victim lady, on retrieval, made statement under Section 164 of the Cr. P.C. vide Annexure-2 wherein the allegation has been attributed to the petitioner and other co-accused stating that while she was going along the road the motorcycle driven by the petitioner arrived and under threat to life another person riding the said motorcycle took her along on the motorcycle. Subsequently, she could relieve

herself from the captivity and found herself in Mumbai.

Contention of the petitioner is that even according to the statement of the victim the petitioner was working with the daughter-in-law. There is material discrepancy with regard to the date of occurrence. The allegation of kidnapping /abducting the victim is attributed to another accused as the petitioner is only driving the motorcycle. The petitioner is in custody since 06.08.2016 without there being any criminal antecedents.

Learned APP opposed the prayer and submitted that the victim lady has clearly alleged against the petitioner.

Considering the facts and circumstances of the case, I do not find it a fit case for grant of bail. Prayer is rejected. The petitioner shall, however, be at liberty to renew prayer for bail if the trial does not record adequate/sufficient progress within 07 months from the date of receipt/communication of a copy of this order.

(Kishore Kumar Mandal, J)

Shyam/-

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