

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38330 of 2017**

Arising Out of PS.Case No. -97 Year- 2016 Thana -NARHAT District- NAWADA

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Ajay Rajbanshi, son of Rameshwar Rajbanshi, Resident of Village-  
Babhanaur Tola, Samaran Bigha, P.S.- Narhat, District- Nawada.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

6      01-11-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner is languishing in judicial custody since  
12.02.2017 in connection with Narhat P.S. Case No. 97 of 2016  
for offences punishable under Section 366 (A) of the Indian Penal  
Code.

The prosecution case, as lodged by the informant, is  
that her daughter Kranti Kumari aged 14 years had gone for  
natural call on 23.04.2016 but did not return. She got knowledge  
that her daughter was seen going with the petitioner and one  
unknown person but in spite of search, she is traceless.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated only on the basis of suspicion. He submits that he has no knowledge about the daughter of the informant and has been falsely implicated in the aforesaid offence. He submits that the F.I.R. has been lodged after 42 days of the alleged occurrence and no plausible explanation has been given for such delay. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the victim girl is a minor and still traceless.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Additional Chief Judicial Magistrate-III, Nawada in connection with Narhat P.S. Case No. 97 of 2016, subject to the conditions that :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable



property, who will file an affidavit stating his relationship with the petitioner.

- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.
- (iii) The petitioner will also appear before the concerned police station in the first week of every month till six months, failing which, his bail bonds will be cancelled.

**(Nilu Agrawal, J)**

Devendra/-

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