

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3824 of 2017

Arising Out of PS.Case No. -52 Year- 2014 Thana -JALALGARH District- PURNIA

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Kalachand Sah @ Kalachandra Sah, son of Late Biranchi Sah, resident of
village-Jahangeerpur Rahika Tola, P.S. Jalalpur, District-Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 16-03-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Special Case
No.73 of 2016, arising out of Jalalgarh P.S. Case No.52 of 2014,
registered under Sections 366(A), 372/34 and 376 of the Indian Penal
Code besides Section 6 of the POSCO Act.

The accusation is of kidnapping the niece of the informant by
the son of this petitioner with the help of one Seema.

Learned counsel appearing on behalf of the petitioner submits
that the petitioner has falsely been implicated in this case at the instance
of the informant because the petitioner is the father of the co-accused
Pappu, who is said to have kidnapped the niece of the informant.
Further submission is that it would appear from paragraph-63 of the
case diary that on 22.05.2014, after returning, the niece of the informant



gave an application before the Superintendent of Police and Judicial Magistrate, First Class, Purnea, to the effect that she was being pressurized by her maternal uncle (informant) to give her statement as per his direction. In her statement, the victim, the niece of the informant, recorded under Section 164 of the Code of Criminal Procedure on 27.05.2014, as detailed in paragraph-52 of the case diary, has stated about her kidnapping by Pappu, the son of the petitioner, and to sell her in U.P. from where she was taken by this petitioner, who committed rape on her, which appears to be beyond imagination. Further submission is that the petitioner having no criminal antecedent is in custody since 05.11.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge-cum-Special Judge, Purnea, in connection with Special Case No.73 of 2016, arising out of Jalalgarh P.S. Case No.52 of 2014.

(Rajendra Kumar Mishra, J)

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