

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32313 of 2017

Arising Out of P.S. Case No. -177 Year- 2014 Thana -NARPATGANJ District- ARRARIA

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Ejajul @ Md. Ejajul, son of Gunjan, resident of Village Rampur, Police
Station - Forbesganj, District Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar @ S.K. and
Mr. Mukesh Kumar Rana, Advocates.

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 20-07-2017 Heard Sri Mukesh Kumar Rana, learned counsel for

the petitioner, and Sri Satyadev Prasad Singh Yadav, learned

A.P.P. for the State.

The petitioner in the present case is seeking regular
bail in connection with Narpatganj P.S. Case No. 177 of 2014,
registered for offences alleged under Sections 363, 366/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that in the
present case police has submitted a charge sheet under Section 306
of the Indian Penal Code against the petitioner. Learned counsel
further submits that the victim lady was aged about 25 years and
she has got recorded her statements under Section 164 Cr.P.C.
stating that she divorced her husband four years earlier, she has



also sworn an affidavit to the effect that she was not kidnapped by the accused petitioner, there is a compromise between the parties and hence the petitioner may be enlarged on bail.

On the other hand learned A.P.P. opposed the prayer for bail referring to the impugned order passed by the learned 1st Additional Sessions Judge, Araria. Learned A.P.P. submits that in the case diary the witnesses have supported the prosecution case regarding kidnapping of the victim and active participation of this petitioner. Learned A.P.P. further submits that although this case is of the year 2014, however, the petitioner surrendered only recently on 28.05.2017.

In the nature of allegations considering that the petitioner has surrendered after about three years, which has definitely arrested the progress of the trial and the investigation, I am not inclined to grant regular bail to the petitioner. The same is rejected.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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