

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20510 of 2017

Arising Out of PS.Case No. -56 Year- 2017 Thana -NOKHA District- SASARAM (ROHTAS)

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Lalan Pasi, Son of Late Doma Pasi, Resident of Village- Kharari, P.S.-
Nokha, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ambuj Kumar Chandra, Advocate.

For the Opposite Party : Mr. Manoj Kumar – 1, APP.

For the Informant : Mr. Sanjay Kr. Tiwary, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-05-2017 Heard both sides.

The petitioner seeks bail in Nokha P.S. Case No. 56 of
2017 registered for the offences punishable under Sections 366
and 34 of the Indian Penal Code.

The informant alleged that his daughter aged about 20
years had gone to coaching institute but she was kidnapped by
Raju Kumar, Raja Babu, Munna Kumar, Ramji Pasi and the driver
and owner of the vehicle bearing registration number BR24P-
4220.

Learned counsel for the petitioner submits that the
petitioner is the owner of the Bolero Jeep bearing registration
number BR24P-4220 but, the petitioner is not involved in
kidnapping of the victim. The driver of the vehicle was Munna



Kumar. The victim made her statement under Section 164 Cr.P.C. (Annexure-4) and she disclosed that Raju Son of Naresh Kumar, Raja Babu, Mangal Kumar, Ramji Paswan, Munna Kumar, Rajesh Kumar and Dhanji forcibly dragged her from the autorickshaw and put her in Bolero Jeep. The accused persons took her away to Kolkata. She was brought to Patna after sometime and she was forced to marry with Mangal Kumar in Mahavir Temple. She further disclosed that she wanted to live with Mangal Kumar and she got also apprehension of her life. The victim is the best witness of the occurrence but, she has not disclosed anything against the petitioner. The petitioner is, ofcourse, owner of the vehicle but, simply being the owner of the vehicle, the petitioner is not liable for kidnapping of the victim.

On the other hand learned counsel for the informant and the learned APP opposed the prayer for bail and submitted that son of the petitioner was driving the vehicle. The petitioner is also involved in kidnapping of the victim. It appears that the informant is not an eye witness of the occurrence and he simply named the petitioner as owner of the vehicle. The victim made her statement under Section 164 Cr.P.C. and she disclosed the name of the accused persons who kidnapped her and kept her in captivity. The victim further disclosed that she wanted to live with Mangal



Kumar.

Considering the facts aforesaid the petitioner above named is directed to 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 the learned Additional Chief Judicial Magistrate, Sasaram, Rohtas in Nokha P.S. Case No. 56 of 2017.

(Prabhat Kumar Jha, J.)

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