

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.61840 of 2018**

Arising Out of PS. Case No.-293 Year-2018 Thana- SITAMARHI District- Sitamarhi

Harishankar Prasad S/o Late Deonarayan Mahto, R/o Vill.- Madhiya, P.S.-  
Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2      06-10-2018

Heard learned counsel for the parties.

The petitioner seeks bail in Sitamarhi Police Station Case No. 293 of 2018, registered for the offences punishable under Sections 363/366 of the Indian Penal Code.

The petitioner is the father of the victim whereas the informant is the daughter-in-law of the petitioner. The petitioner is said to have remarried after the death of his first wife. The victim is the daughter of the petitioner from his first wife whereas the informant is the wife of petitioner's son from his first wife.

It is alleged in the first information report that the victim was kidnapped by the petitioner with the help of some other relatives.



Learned counsel appearing on behalf of the petitioner has submitted that it is because of the fact that the petitioner has remarried, which has led to certain family disputes, false case has been registered. He has also submitted that the same informant has lodged two false cases in the year 2014 and 2015 to put undue pressure on him. He has drawn my attention to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, to submit that the victim herself has averred that she has lodged case for her maintenance. He has submitted that the story of kidnapping is absolutely absurd and highly improbable.

I find substance in the submission made on behalf of the petitioner. This application is, accordingly, allowed.

Let the petitioner, Harishankar Prasad, be released 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 Chief Judicial Magistrate, Sitamarhi, in Sitamarhi P.S. Case No. 293 of 2018.

**(Chakradhari Sharan Singh, J)**

Ashish/-

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