

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51514 of 2018

Arising Out of PS. Case No.-16 Year-2018 Thana- ARA RAIL P.S. District- Bhojpur

Ashish Kumar Prajapati, Son of Lal Bhushan Pandit, Resident of Village-
Chhotki Hardiyan, Post office- Hardiyan, Police Station- Jagdishpur, District-
Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Nath Sinha, Advocate.

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

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

ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Ara Rail Police Station Case No.16 of 2018 registered under Sections
366, 302 and 201/34 of the Indian Penal Code.

The accusation is that in the morning of 05.03.2018, the
daughter of the informant had gone near canal to attend the call of
nature but she did not return. Thereafter, the informant along with
his other family members started to search but no trace of her
daughter was found. Further case of the informant is that his villager,
namely, Vikash Prajapati alias Sonu used to talk with her daughter.
While the informant forbade him several times to talk with his
daughter but he did not care of the protest made by the informant.
Thereafter, the informant settled the marriage of his daughter, which



was to be solemnized in the month of May. In course of search of his daughter, the informant received information about the presence of his daughter near the cowshed of Ramadhar Yadav through Mobile No. 8405015820 but when he along with his other family members went there, she was not there. On 07.03.2018, rumour spread that in between Kaudia Halt and Sarvodya Halt, the dead body of a girl is lying, sustaining injuries. Thereafter, the informant along with his villagers reached there and came to know that G.R.P. Ara had carried the dead body of the girl at Sadar Hospital, Ara for postmortem, then he went there and identified the dead body of his daughter. Further claim of the informant is that his daughter was enticed away by Vikash Kumar Prajapati alias Sonu and, thereafter, Vikash Kumar Prajapati alias Sonu and his elder brother after committing the murder of his daughter threw her dead body at the railway track.

Learned counsel appearing on behalf of the petitioner submits that just after one day of the occurrence, the informant and his family members went at the house of the petitioner and started to abuse making the allegation of enticing away his daughter and also caused injury to the family members of the petitioner regarding which Jagdishpur P.S. Case No.91 of 2018 under Sections 448, 341, 323, 379 and 504/34 of the Indian Penal Code was instituted against the informant and others on the basis of written report of Lal Bhushan Pandit, the father of the petitioner. In fact, the petitioner is



the elder brother of Vikash Prajapati alias Sonu against whom there is allegation of enticing away the daughter of the informant, due to that reason, the informant has raised suspicion against the petitioner having hand in the alleged crime.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Ara Rail, Ara, in connection with Ara Rail Police Station Case No.16 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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