

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19231 of 2018

Arising Out of PS. Case No.-90 Year-2017 Thana- SAHIYARA District- Sitamarhi

Umesh Singh S/o Ram Kishun Singh, R/o Village- Jalsi, P.S.- Sahiyara,
Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Atul Chandra

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 18-05-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Sahiyara P.S. Case No. 90 of 2017 registered under Sections
363, 366(A), 372/34 of the Indian Penal Code.

The petitioner along with four other accused
persons are said to have kidnapped minor daughter of the
informant. The victim in her statement under Section 164
Cr.P.C. supporting the occurrence of kidnapping also stated that
the petitioners and other accused persons taking her to Nepal
committed rape against her.

It is submitted by learned counsel for the
petitioner that the petitioner is quite innocent and has no



concern with the aforesaid occurrence. The petitioner has been falsely implicated in this case. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. This is not a case of kidnapping rather elopement of victim with co-accused Jitendra Thakur. So far as allegation of rape is concerned, the doctor has neither found any injury on the private part of victim nor any sign of rape against her. Charge-sheet in the case has already been submitted. Similarly situated co-accused, namely, Naval Kumar has been enlarged on bail by a co-ordinate bench of this court in Cr. Misc. No. 59987 of 2017 vide order dated 06.02.2018

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-5, Sitamarhi in connection with Sahiyara P.S. Case No. 90 of 2017.

(Prakash Chandra Jaiswal, J)

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