

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 56014 of 2019**

Arising Out of PS Case No.-35 Year-2019 Thana- HALSI District- Lakhisarai

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Sanoj Rajak (M) aged about 23 years, Son of Gulo Rajak, Resident of
Village- Rata, P.S.- Halsi, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the State : Mr. Md. Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 18-12-2019

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in Halsi PS Case No. 35 of
2019 dated 26.02.2019 instituted under Sections 323, 366(A)/34 of
the Indian Penal Code and 8 of The Protection of Children from
Sexual Offences Act, 2012.

3. The allegation against the petitioner and three other
family members is of kidnapping the minor daughter of the
informant.

4. Learned counsel for the petitioner submitted that
there was relationship between the parties but she was not



abducted. It was submitted that the girl was recovered by the police from a public place, while she was returning from her sister's house. It was submitted that she has made her statement to the police during investigation that because she was scolded by her mother, she had gone away to the sister's place and when she was returning, on the way the police had found her. Learned counsel submitted that the girl is in after care home as she has refused to go with her father, which itself shows that the petitioner has not committed any crime and rather, it was the girl herself, who did not want to live with her parents. It was submitted that if the girl had been abducted or was a victim, she would have gone back to the home of the parents and not sent to the after care home. It was further submitted that the petitioner is in custody since 18.06.2019.

5. Learned APP, from the case diary, was not in a position to controvert the fact that before the police, the girl has stated that she herself had gone to her sister's place after being scolded by her mother.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like



amount each to the satisfaction of the learned ADJ 1st, Lakhisarai
in Halsi PS Case No. 35 of 2019.

7. The application stands disposed off.

(Ahsanuddin Amanullah, J.)

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