

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59315 of 2019

Arising Out of PS. Case No.-91 Year-2019 Thana- BIRPUR District- Supaul

SANTOSH KUMAR JHA Son of Pappu Kumar Jha Resident of Madhubani,
P.S.- Balua Bazar, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-11-2019 The petitioner seeks regular bail in connection with

Birpur P.S. Case No. 91 of 2019, registered for offences punishable

under Sections 363, 366 and 34 of the Indian Penal Code.

Allegation as per F.I.R. is that daughter of the informant was kidnapped and he raised suspicion against the petitioner and other accused person and it appears that later on victim girl was recovered and her statement under Section 164 Cr.P.C. has been recorded, in which, she has named the petitioner as the person, who kidnapped her and took her to various places including Ranchi and Delhi and as she fell ill, she was treated by the petitioner and, thereafter, he demanded her ATM and amount for her treatment.

It has been submitted on behalf of the petitioner that he has falsely been made accused and languishing in judicial custody since 25.06.2019 and the F.I.R. itself disclosed that she is major and statement of girl under Section 164 Cr.P.C. disclosed that she was



taken to different places, however, it is very strange that she did not try to raise hulla or inform her family members. It has further been submitted that though her brother and husband of her sister brought her back but they have not been examined in this case and furthermore, the girl was also medically examined but in the medical examination no sign of rape was detected.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation and also that petitioner has no criminal antecedent and has remained in custody for about ten months, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Birpur, Supaul, in connection with Birpur P.S. Case No. 91 of 2019 subject to the condition that petitioner will cooperate in disposal of trial and make himself available as and when required by the Trial Court.

(Vinod Kumar Sinha, J)

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