

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5060 of 2020

Arising Out of PS. Case No.-250 Year-2018 Thana- MUSAHARI District- Muzaffarpur

RAJU KUMAR SAH S/o Bigan Sah @ Vigan Sah R/o village- Bhatauliya,
P.S.- Mushahari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 28-05-2020 Heard Mr. Ganesh Prasad Singh, learned

counsel for the petitioner and Mr. Nand Kishore Prasad,

learned APP for the State.

The petitioner seeks bail in connection with

Mushahari P. S. Case No. 250 of 2018 dated

29.10.2018, instituted for the offences under Sections

363, 365, 366A, 307 and 34 of the Indian Penal Code

and Section 27 of the Arms Act.

The petitioner is in custody since 21.07.2019

and does have any criminal antecedents. He has not

been named in the F.I.R. The F.I.R. has been lodged by

the mother of the victim girl.



It has been alleged that three unknown persons entered the house of the informant and abducted her daughter. On protest, the husband of the informant was fired at, resulting in injuries to him.

It appears from the investigation report that the victim came back on the next day.

In the F.I.R., it has also been stated that the victim had a talk with her mother / informant and she assured her that she should not contact the police as her kidnapper would marry her and would reach her to her home. Later, in the statement under Section 164 Cr. P.C., the victim is said to have named one Anil and the petitioner. Aforesaid Anil has been granted bail by a Bench of this Court vide order dated 27.05.2019 passed in Cr. Misc. No. 81577 of 2019. One other co-accused person, namely, Arjun Ram also appears to have been granted bail on 18.12.2019 in Cr. Misc. No. 75076 of 2019.

The learned counsel for the petitioner further



submits that if the victim had identified the petitioner, nothing prevented her from intimating her mother when she had a talk with her on telephone.

Apart from this, it also does not appear to be normal that the F.I.R. was registered after a long delay.

Considering the afore-stated, the petitioner above-named is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge VI-cum-A.C.J.M., Muzaffarpur in connection with Mushahari P. S. Case No. 250 of 2018.

(Ashutosh Kumar, J)

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