

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26387 of 2020

Arising Out of PS. Case No.-366 Year-2019 Thana- KHAIRA District- Jamui

RAMVRIKSH SINGH @ RAMBRIKSH SINGH, S/o Late Chandar Singh,
Resident of Village-Singarpur, P.S.-Khaira, District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 363, 302, 120(B)/34 of the
Indian Penal Code.

Prosecution case in brief is that as per written report
given by one Birendra Singh before the SHO, Khaira P.S. on
08.12.2019 about 11.00 hours the informant has alleged that on
07.12.2019 at about 1.00 pm his Natni namely Sonali Kumari
aged about 10 years, after coming from school at house, playing
with alongwith other children. He came to his house at 7.00 pm
from Jamui and found that his Natni did not back to home. In
tension they have searched her here and there in village and
asked from children but did not found any trace. The informant



further states that either his Natni went somewhere or someone has kidnapped her.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to village politics. The petitioner is not named in the FIR, the present FIR has been instituted against unknown persons and the name of the petitioner came during investigation. He further submits that during the investigation, none of any witnesses asserted that anyone of them has seen the petitioner, who is kidnapping the Natni of the informant. During investigation, some co-villagers misguided the police for taking advantage of situation and falsely dragged the petitioner into this case.

Learned counsel for the petitioner further submits that in para 34 of the cased diary it appears that the inquest report was prepared on 17.12.2019 and some witnesses have on suspicion that the petitioner has taken away the victim. In paragraph nos. 51, 52 and 53 of the case diary it appears that dated 20.12.2019, the dead body of the victim has been recovered. He further submits that on suspicion of the said witnesses have made accused to the petitioner in this case. The petitioner is in custody since 21.12.2019. The petitioner has got



no criminal antecedent which is mentioned in para 3 of the bail application.

Learned APP for the State has opposes the prayer for bail.

Considering the aforesaid facts and circumstances, **after framing of the charge**, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Khaira P.S. Case No. 366/2019, G.R. No. 3511 of 2019 to the satisfaction of the learned Chief Judicial Magistrate, Jamui.

(Anjani Kumar Sharan, J)

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