

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21921 of 2020

Arising Out of PS. Case No.-666 Year-2019 Thana- JAHANABAD District- Jehanabad

Ajay @ Manjhla Son of Lila Choudhary Resident of Village - Amjhar Sharif
Haspura, P.S.- Haspura, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 21-08-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Jehanabad P.S. Case No.
666 of 2019, registered for the offence under Sections
363/366(A) of the Indian Penal Code.

The prosecution case, in brief, is that the sister of the
informant, who is aged about 14 years, had gone to school on
17-08-2019 at about 6:00 AM, but till evening, she did not
return to home. It is further alleged that on 20-08-2019, in
course of search, the informant came to know that his sister was
kidnapped by the accused persons, as named in the FIR, for the
purpose of marriage. It is also alleged that the informant was
threatened by accused persons for dire consequences if he again
approaches before them.



It is submitted on behalf of petitioner that petitioner has falsely been implicated in this case and he has committed no offence. There is no specific allegation against petitioner. Specific allegation of kidnapping is against co-accused Rajesh Kumar. It is further submitted that victim is major and out of her own will, she has already solemnized marriage on 14-09-2020 with co-accused Rajesh Kumar. In support of the same, a joint affidavit has been brought on record, which is kept as Annexure – 2 to the petition. It is further submitted that F.I.R. has been lodged after five days of alleged occurrence. In paragraph – 3 of the petition, it has been stated that petitioner has clean antecedent and he is in custody since 11-03-2020.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case No. 666 of 2019 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and



on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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