

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 83367 of 2019**

Arising Out of PS Case No.-87 Year-2019 Thana- MAHARAJGANJ District- Siwan

Ravi Kumar @ Anup, aged about 36 years (Male), Son of Ramesh Singh,
Resident of Village- Khedu Chhapra, P.S.- Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Harendra Prasad, Advocate
For the State	:	Mr. Lalan Kumar, APP

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

ORAL JUDGMENT

Date : 08-01-2020

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Maharajganj PS Case No. 87 of 2019 dated 26.03.2019 instituted
under Sections 366A/34 of the Indian Penal Code.

3. The allegation against the petitioner and others is of
kidnapping the minor daughter of the informant.

4. Learned counsel for the petitioner submitted that the
allegation against the petitioner, as per the FIR, is that from his
mobile number, the informant was informed that upon the
informant withdrawing the earlier case filed by his elder daughter
against Pramod Rai and Rajesh Rai, his daughter would return. It



was submitted that the same is totally false and concocted as the petitioner has no connection with Rajesh Yadav/Rajesh Rai and even during investigation, the police has found that the mobile number disclosed in the FIR belonged to Rajesh Yadav and not the petitioner. It was submitted that the petitioner, his uncle, the informant as well as Rajesh Yadav are all neighbours and in the earlier case filed by the elder daughter of the informant against Pramod Rai and Rajesh Rai, both sons of Banshi Rai, the paternal uncle of the petitioner, who is a practising advocate in the Civil Court at Siwan, had moved petition for bail due to enmity, in the present case, the petitioner has also been named. Learned counsel submitted that the petitioner is working abroad since more than 10 years and has three children to take care of. It was further submitted that the petitioner has no criminal antecedent. Learned counsel submitted that the younger daughter of the informant, who is said to be the victim in the present case is in fact living with her maternal aunt at Panipat in the State of Haryana and the petitioner has been implicated falsely with *mali fide* intention.

5. Learned APP submitted that the victim girl has still not returned.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the



event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-V, Siwan in Maharajganj PS Case No. 87 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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