

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78668 of 2019

Arising Out of PS. Case No.-87 Year-2019 Thana- SIGAUDI District- Patna

Satish Kumar Son of Sri Gopal Yadav @ Gopal Prasad, Resident of Village -
Tikulpar, P.S.- Sigori, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-03-2020 Heard both sides.

The petitioner seeks bail in Sigori P.S. Case No.87 of 2019 registered for the offence punishable under Section 366A of the Indian Penal Code.

The informant alleged that earlier on 29.01.2019, the petitioner kidnapped his daughter, for which Patrakar Nagar P.S. Case No.124 of 2019 was registered and his daughter was recovered. Thereafter, his daughter was living in her house. On 30.08.2019, again the petitioner kidnapped his daughter.

Learned counsel for the petitioner submits that the victim, in her statement recorded under Section 164 of the Code of Criminal Procedure in Patrakar Nagar P.S. Case No.124 of 2019, disclosed that she was having love affairs with the petitioner and considering the statement of the victim recorded



under Section 164 Cr.P.C, the police submitted final form finding the case false against the petitioner. In the present case, the petitioner was arrested on 14.09.2019 and was remanded to jail on 15.09.2019. The police got information that the victim was residing in her house and, thereafter, the police went there and found the victim girl in her house. On perusal of paragraph-35 of the case diary, it appears that the police found the victim girl inside her house and in her statement under Section 164 Cr.P.C. she disclosed that she was forcefully taken by the petitioner and, thereafter, she reached Ahmadabad, from there she came to Patna with her parents. It is further submitted that the victim made false allegation against the petitioner in her subsequent statement recorded under Section 164 Cr.P.C. The petitioner never kidnapped the victim girl. It appears that earlier in Patrakar Nagar P.S. Case No.124 of 2019, the victim had disclosed that she had voluntarily left her house. Again in the present case, the victim was found inside her house and she disclosed in her statement under Section 164 Cr.P.C. that the petitioner took her forcibly to Ahmedabad but it appears that the victim never raised any alarm, while she was being taken forcibly to Ahmadabad.

Taking into consideration the fact, as stated above,



and the fact that the petitioner is in jail since 15.09.2019, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.V, Danapur, district-Patna in connection with Sigori P.S. Case No.87 of 2019.

(Prabhat Kumar Jha, J.)

nawalkrs/-

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