

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85593 of 2019

Arising Out of PS. Case No.-23 Year-2018 Thana- DALSINGHSARAI District- Samastipur

Ajit Kumar Jha, S/o Dashrath jha R/o village- Bhagwanpur Chakshekhu,
Ward No. 4, P.S.- Dalsinghsarai, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 16-06-2020 Heard Mr. Rajeev Ranjan No. II, learned counsel for the petitioner and Mr. Ram Bilash Roy Raman, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Dalsinghsarai P.S. Case No. 23 of 2018 dated 02.02.2018 instituted for the offences under Sections 363 and 366 of the Indian Penal Code.

It appears that one Rahul Kumar lodged a FIR that his wife has been enticed away. The FIR appears to have been lodged after 44 days of the occurrence in which the name of the petitioner has not transpired.

From the investigation reports, it appears that the victim appeared of her own before the police and gave her statement under Section 161 Cr.P.C. in



which also she has not named the petitioner. Later in her statement under Section 164 Cr.P.C., she says that the petitioner and two others kidnapped her and she was made to marry one Manoj Kumar Jha under duress and coercion.

Learned counsel for the petitioner submits that an absolutely false case has been lodged by the informant and a wrong statement has been made by the victim. In fact, the investigation papers reveal that the victim woman was married to one Mahesh Kumar Jha. She ran away from the aforesaid matrimonial bond and started living with the informant of this case. Later, of her own volition she has married one Manoj Kumar Jha. It is only because of the fact that the petitioner was a partner of Rahul Kumar (informant) and he always advised him not to keep an earlier married woman in his house that he has been named as an accomplice by the so called victim woman. These facts find their origin in the investigation report.

Considering the aforementioned facts and taking into account the clean antecedents of the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, 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 Additional Chief Judicial Magistrate 1st , Dalsinghsarai, Samastipur in connection with Dalsinghsarai P.S. Case No. 23 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

krishna/-

U		T	
---	--	---	--

