

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12388 of 2021

Arising Out of PS. Case No.-65 Year-2020 Thana- KHIRHAR District- Madhubani

Ranjit Gosai Son of Mr. Sukhsagar Gosai Resident of Village - Pahra, P.S.-
Khirhar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Udbhav, Adv.
For the Opposite Party/s	:	Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 30-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363, 366A, 341, 323, 504, 506 and 34 of the Indian Penal Code.

As per allegation in the F.I.R., the informant saw his minor daughter going with the petitioner with the bag on his motorcycle. He states that inspite of attempt to catch them they managed to escape. It is stated that on going to his parent's place, he was abused and threatened. His daughter had taken away Rs.60,000/ in cash and his wife's jewelry.

It is submitted by learned counsel for the petitioner, that the allegations as levelled in the F.I.R. are false and concocted. The daughter of the informant who is major left her



house voluntarily, which would be evident from the contents of the F.I.R. as also from the material that has transpired in course of investigation. She has not made any allegations of sexual assault or establishment of physical relations in her statement under section 164 Cr.P.C. The petitioner has no criminal antecedent and is in custody since 18.7.2020. The allegations of the petitioner establishing physical relations has also not been found substantiated in the medical report.

The application is opposed by learned A.P.P. for the State who submits that the minor daughter of the petitioner was kidnapped and has supported her allegations in her statement under section 164 Cr.P.C.

Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner together with the fact that in the medical report the victim has been assessed to be a minor together with the contents of the statement under section 164 Cr.P.C., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

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(Partha Sarthy, J)

