

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12530 of 2021**

Arising Out of PS. Case No.-147 Year-2019 Thana- RAFIGANJ District- Aurangabad

UMER ALAM SON OF JUBAIR AALAM Resident of Village - Bela, P.S.-
Belaganj, Distt.- Gaya , at present residing at kaliasthan, Dest Spoken care
Point Coaching Centre Babuganj, P.S.- Rafiganj, Dist.- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Advocate Mr. Umesh Prasad, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 10-08-2021 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 section 366 of the Indian Penal Code.

As per the prosecution case on the daughter of the informant not returning, it is stated that she was not to be found inspite of search. It is further stated that the petitioner who was running a coaching centre has taken away his daughter.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. In course of investigation it has transpired that the father of the victim i.e. the informant herein provided the mobile number of the husband of the victim who was living at Delhi. It



has further transpired in course of investigation that the Investigating Officer had a talk with the husband of the victim and who has assured that on coming back from Delhi he would be giving his statement. It is thus submitted that as the so called victim has married and is leading a peaceful married life with her husband at Delhi, the petitioner who is in custody since 23.11.2019 be enlarged on bail. It is submitted that besides the telephone number the permanent address of the victim's husband has also been given.

Application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the daughter of the informant is still traceless, her whereabouts are still not known to the informant and no such mobile number etc has been provided by him to the Investigating Officer.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the daughter of the informant still being traceless, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Prakash/-

(Partha Sarthy, J)

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