

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15697 of 2021

Arising Out of PS. Case No.-265 Year-2020 Thana- ARWAL District- Jehanabad

Kanhaiya Kumar @ Kanhaiya Singh S/O Radheshyam Singh R/o village-
Fulari, P.S.- Sandesh, District- Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv.
		Mr. Anuj Kumar, Adv.
For the Opposite Party/s	:	Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 13-09-2021 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, it is stated that the daughter of the informant started from home but did not return. It is stated that the petitioner informed the informant's relative about the informant's daughter running away.

It is submitted by learned senior counsel appearing for the petitioner that the petitioner is innocent and has been falsely implicated in the case. He has no concern with the informant's daughter. He is in custody since 26.8.2020 and chargesheet has been submitted in the case. He has no criminal



antecedent.

The application for bail is opposed by learned APP for the State who submits that the statement of one of the witnesses Md. Furkan was recorded under section 161 Cr.P.C. and subsequently under section 164 Cr.P.C. wherein he states that it was in presence of the petitioner that the daughter of the informant jumped from the bridge into the river.

In reply, it is submitted by learned senior counsel appearing for the petitioner that even accepting the statement of Md.Furkan, for the sake of argument, no over act is alleged against this petitioner.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the material that has transpired in course of investigation together with the petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Arwal P.S. Case no. 265 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Arwal.

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(Partha Sarthy, J)

