

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19879 of 2021

Arising Out of PS. Case No.-236 Year-2018 Thana- RIGA District- Sitamarhi

SANTOSH DAS S/o Ram Ekwel Das @ Ram Ekbal Das R/o Village-
Maniyari, Ward No.-5, P.S.- Punaura, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

Mr.Santosh Kumar

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-08-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Riga P.S. Case No.236 of 2018 registered for the offence punishable under Sections 363, 366(A)/34 of the Indian Penal Code.

The prosecution case in short is that the FIR named accused persons have kidnapped the informant's daughter and sister with the intention of marrying them and taken them



elsewhere. The informant's side searched them a lot but could not find them.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. He has been falsely implicated in this case due to village politics and biased intention. The prosecution case is false and concocted and does not appeal to normal reasoning. Petitioner is not named in the F.I.R. and no specific allegation has been levelled against the petitioner. His name appeared during course of investigation. The victims were recovered and in their statements recorded u/s 164 Cr.P.C., claimed their age as 20 years each and learned Magistrate assessed their age to be 18 years. The victim Chandani Khatoon has not supported the allegation of kidnapping and stated that she and the petitioner love each other and wanted to get married but both of them were of different religions, so on denial of family members, they got married in a temple and she is pregnant and want to live with her husband. On the other hand victim Sajan Khatoon has also denied the allegation of kidnapping and stated that she went to Hyderabad with Chandani Khatoon on her own wish. She stayed there for five months, got married to Santosh



Kumar Singh and has a daughter of one and a half year. The petitioner has no criminal antecedent and has been languishing in custody since 07.12.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case and the statement of the victim recorded under section 164 Cr.P.C., the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Sitamarhi, in connection with Riga P.S. Case No.236 of 2018.

(Anjani Kumar Sharan, J)

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