

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35032 of 2021

Arising Out of PS. Case No.-336 Year-2020 Thana- GAIGHAT District- Muzaffarpur

JAGESHWAR RAM S/o Ramsharan Ram R/o village- Bharat Nagar
(Khodhia Tola), P.S.- Gayaghat, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidya Nath Prasad

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-10-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 363, 366(A), 34 of the Indian Penal Code.

As per the prosecution case, the FIR named accused persons are alleged to have kidnapped the daughter of informant for the purpose of marriage.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. Petitioner is not named in the FIR. The name of petitioner has come in the case during the course of investigation in the re-statement of informant and the statement of victim recorded u/s 164 of the Cr. P. C. wherein the victim alleged that this petitioner along with co-accused, Pappu Kumar, kidnapped her



and took her to Mumbai. She was confined in a room for three months and she was married forcibly with co-accused, Pappu Kumar on 17.10.2020. It is submitted that the victim had love affairs with one Ramsurat Rai, close relative of sister of informant, with whom the victim has already married and in order to falsely implicate this petitioner and others in the present case the victim and the informant named the petitioner and his relatives in planned way due to previous enmity. Petitioner claims clean antecedent and is in custody since 08.01.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that the informant named the petitioner in his re-statement and the victim also named him in her statement u/s 164 of the Cr. P. C. and there is specific allegation against this petitioner in the statement of victim recorded u/s 164 of the Cr. P. C that petitioner along with co-accused Pappu Kumar kidnapped her and took her to Mumbai and kept her confined for three months in a room and she was forcibly married with co-accused Pappu Kumar on 17.10.2020.

Considering the facts and circumstances of the case and the nature of accusation made against this petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the



same is rejected.

(Prabhat Kumar Singh, J)

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