

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32167 of 2020

Arising Out of PS. Case No.-278 Year-2019 Thana- GORAUL District- Vaishali

Uma Shankar Kumar @ Uma Shankar Rai, son of Bhola Prasad Sastri @
Bhola Roy, resident of village- Sandho Mubarakpur, P.S. Goraul, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh, Advocate.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 05-03-2021 As prayed for, let the learned counsel appearing for

the petitioner remove the defect(s), as pointed out by the office,

within four weeks of starting of the Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection

with Goraul P.S. Case No. 278 of 2019, registered under

Sections 363, 366A, 354, 342, 323 and 504/34 of the Indian

Penal Code.

The accusation is that Amrita Kumari, daughter of

the informant, Umesh Giri, aged about 17 years, had gone to

attend the call of nature in the morning of 13.08.2019 but she



did not return. Later on, informant in course of search, came to know that Niraj Kumar, Bhola Prasad Shastri, Punam Devi, Ajit Kumar, Kamal Roy, Pramila Devi are involved in kidnapping of his daughter then he went at their house and made complaint, on which, they started to abuse.

Learned counsel for the petitioner submits that it would appear from the FIR that petitioner is not named in the FIR, in fact, due to love affairs in between Niraj Kumar, own brother of petitioner and daughter of the informant, she left the house along with Niraj Kumar according to her own sweet will but later on, on the pressure of family members, daughter of the informant disclosed the name of the petitioner, in her statement recorded under Section 164 Cr.P.C., to the effect that this petitioner was also present along with Bhola, Vikash, Ajeet, Kamal Rai and wife of Kamal Rai and Bhola Rai at the time of putting signature on a paper for marriage with Niraj in court. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of the learned Ist Additional Sessions Judge-cum-Special Judge, Vaishali at Hajipur, in connection with Goraul P.S. Case No. 278 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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