

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33208 of 2020

Arising Out of PS. Case No.-173 Year-2019 Thana- ATHMALGOLA District- Patna

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RANA PRATAP SINGH @ RAJA PRATAP SINGH S/O Sita Ram Singh
Resident of Village- Bhawani Bigha, P.S.- Shilao, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar @ S.K.
	:	Ms.Anjana
For the Opposite Party/s	:	Mr.Dilip Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 27-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of
Athmalgola P.S. Case No. 173 of 2019 registered for the
offences punishable under Sections 366 A, 504, 606 and 34 of
the Indian Penal Code.

It has been alleged in the F.I.R. that the informant's
minor daughter was kidnapped by one Vicky Kumar in a
motorcycle on 22.09.2019. The F.I.R. was registered on
23.09.2019. The petitioner was not named in the F.I.R. It
appears from the case diary that the victim subsequently
appeared in the office of Assistant Superintendent of Police,
Barh on 07.11.2019. During the course of investigation, the



victim is said to have handed over to the Investigating Officer a letter addressed to the Senior Superintendent to Police, Patna and said to have disclosed that she had left her house with the co-accused Vicky Kumar whereafter she had eloped with Saurav Kumar. The petitioner had allegedly accompanied them, as suggested in paragraph 112 of the case diary.

The victim's statement was subsequently recorded under Section 164 of the Cr.P.C. wherein she disclosed facts which are materially different from the facts disclosed before the Investigating Officer and in the letter which she had addressed to the Senior Superintendent of Police, Patna.

Learned counsel appearing on behalf of the petitioner has submitted that the entire prosecution's case has become doubtful, in view of the contradictory statements made by the alleged victim. He has further submitted that there is no allegation against the petitioner of any misbehavior with the alleged victim. The petitioner is in custody since 30.10.2019.

Considering in totality the facts emerging from the F.I.R., the case diary and the statement of the victim, in my opinion, a case for grant of regular bail is made out.

This application is accordingly allowed.

Let the petitioner, above named, be released on bail



on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Barh in Athmalola P.S. Case No. 173 of 2019.

(Chakradhari Sharan Singh, J)

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