

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34397 of 2020

Arising Out of PS. Case No.-98 Year-2020 Thana- BATHNAHA District- Sitamarhi

Rajesh Kumar, Male, aged about 27 years, Son of Ram Pravesh Rai, Resident of Mohalla - Saristabad, P.S.-Gardnibagh, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Senior Advocate Mr. Madhav Raj, Advocate
For the Opposite Party/s	:	Mr. B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-01-2021 Heard Mr. Yogesh Chandra Verma, the learned Senior Counsel for the petitioner, Mr. B.N. Pandey, the learned Additional P.P. and Mr. Ratneshwar Prasad, the learned counsel appearing on behalf of the informant.

The petitioner seeks bail in Bathnaha P.S. Case No.98 of 2020, registered under Sections 366 and 34 of the Indian Penal Code.

The informant is the husband of the victim and he disclosed that his wife after marriage lived with him for sometime but on the pretext of continuing her study, she went to the house of her uncle situated in village Kamaldah but on 23.05.2020, she became traceless. The informant further alleged that his wife was always talking on Mobile No.8294444366. The informant suspects that the owner of Mobile No.8294444366 might have kidnapped



his wife.

Learned Senior Counsel for the petitioner submits that save and except suspicion, there is no material against the petitioner. The wife of the informant is a major and she left her house voluntarily.

On the other hand, learned counsel for the informant vehemently opposed the prayer for bail and submits that the victim is still traceless and it has come that the petitioner is the owner of the mobile on which the wife of the informant was always talking.

Having considered the facts that the wife of the petitioner herself left the house of her uncle, there is no material to show that the petitioner kidnapped the wife of the informant and petitioner is in custody since 11.07.2020, petitioner, namely, Rajesh Kumar is directed to be enlarged 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 Chief Judicial Magistrate, Sitamarhi in connection with Bathnaha P.S. Case No.98 of 2020.

(Prabhat Kumar Jha, J)

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