

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37537 of 2020

Arising Out of PS. Case No.-104 Year-2020 Thana- AAJAM NAGAR District- Katihar

RAJKUMAR @ RAJKUMAR ROY @ MAJNU ROY SON OF GOVIND
ROY @ GUDRI ROY RESIDENT OF VILLAGE- BELWARI, P.S.-
AZAMNAGAR (SHALMARI O.P.), DISTRICT- KATIHAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 05-07-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through video
conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Azamnagar (Shalmari
O.P.) P.S. Case no. 104 of 2020 registered under sections 366A,
341, 323, 379, 504 and 34 of the Indian Penal Code.

As per allegation in the FIR, the 16 years old daughter
of the informant was kidnapped by the petitioner. It is further
stated that on the informant going and complaining, they were
abused and assaulted.

It is submitted by learned counsel for the petitioner
that the allegations as levelled in the FIR are not correct and the
petitioner has been falsely implicated in the case. The FIR has



been registered more than two months after the alleged occurrence without any explanation for the delay. The daughter of the informant returned home. It has transpired in course of investigation that on their return both the petitioner and the daughter of the informant were quarantined in the quarantine centre and after the period of quarantine was over that the petitioner was arrested. The statement of the daughter of the informant was recorded under section 164 Cr.P.C. Referring to the statement under section 164 Cr.P.C. it is submitted that no commission of rape is alleged against the petitioner who is in custody since 27.5.2020 and has no criminal antecedent.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the material that has transpired in course of investigation and the petitioner having remained in custody for over one year, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Azamnagar (Shalmari O.P.) P.S. Case no. 104 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, Katihar.

(Partha Sarthy, J)

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