

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40912 of 2020

Arising Out of PS. Case No.-126 Year-2019 Thana- SATHI District- West Champaran

Ramesh Das Son Of Jalandhar Das Resident of Village- Baudh Toal,
Lakshnauti, P.S.- Sathi District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

10 12-07-2021

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 Sathi P.S. Case no. 126
of 2019 registered under sections 363 and 366A of the Indian
Penal Code.

As per allegation in the FIR, it is stated by the
informant that his minor daughter was kidnapped by two named
accused persons including the petitioner herein. It is further
stated that on enquiry the name of three other named accused
persons also transpired.

It is submitted by learned counsel for the petitioner
that the allegations as leveled in the FIR are false and
concocted. He has been falsely implicated in the case. The



instant case was lodged as a counter-blast to Complaint Case no.18553 of 2019 lodged for an offence where the brother of the informant attempted to commit rape on the wife of the petitioner herein. The said case is pending in the Court of learned Judicial Magistrate-1st class, Bettiah. The petitioner is in custody since 14.11.2019 (and not 15.9.2019 as mentioned in paragraph no. 15 of the petition which is a typographical error). The petitioner has no criminal antecedent and investigation in the case has concluded.

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 material that has transpired in course of investigation, the age of the victim having been estimated to be between 17-18 years in medical examination and the said minor victim having supported the allegations in her statement under section 164 Cr.P.C., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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