

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5321 of 2021

Arising Out of PS. Case No.-247 Year-2019 Thana- DAGARUA District- Purnia

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GOPAL KUMAR DAS S/o Late Shibu Das Resident of Village- Nayatola
Nikhraail, P.S.- Dagarua, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-06-2021 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 Dagarua P.S. Case no. 247 of 2019
registered under sections 366A and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant
that her 16 year old daughter disappeared at night. On inquiry it
transpired that the five named accused persons including the
petitioner herein had kidnapped her daughter. On going to make
inquiry, they were abused and threatened.

It is submitted by learned counsel for the petitioner that
the allegations as leveled in the FIR are false and concocted. The
petitioner has been falsely implicated in the case. For an occurrence
alleged to have taken place on 3.12.2019, the matter was reported to



the police and the FIR registered on 22.12.2019 i.e. after delay of 19 days without any reasonable explanation for the same. From the FIR itself it would transpire that the informant knew about the whereabouts of her daughter. The petitioner has been in custody since 2.7.2020 and has no criminal antecedent. It is submitted by learned counsel for the petitioner that the victim is 19 years old.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and on going through the statement under section 164 Cr.P.C. it transpires that the 17 year old victim has described about the overt act of the petitioner herein in her statement.

Thus in the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

The learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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