

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6649 of 2022**

Arising Out of PS. Case No.-154 Year-2021 Thana- UDAKISHUNGANJ District-  
Madhepura

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Vilash Sah S/o Saryug Sah R/o village- Sekhpur Chaman, P.S.-  
Udakishunganj, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, App

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**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**

ORAL ORDER

2      14-06-2022                      Heard learned counsel for the petitioner and learned  
  
A.P.P. for the State.

Let the defects, if any, be removed within four weeks  
from today.

The petitioner seeks regular bail in connection with  
Uda-kishunganj P.S. Case No. 154 of 2021 instituted for the  
offences punishable under Sections 365, 366 (A), 504 and 34 of  
the Indian Penal Code.

Learned counsel for the petitioner submits that the  
petitioner is in custody since 28.07.2021, is a person with clean  
antecedent and charge-sheet has been submitted in the case.

As per the prosecution case, on 18.05.2021 at about  
10.00 pm, his minor daughter had gone to attend the call of  
nature behind the house. After sometime, when she did not  
return to the house then informant's wife informed him about



her, upon which he (informant) started searching for her daughter. During the course of searching at some distance from his house towards south, he saw Bipin Sah standing near a black motorcycle and his daughter was also there and her face was covered by a cloth. It has further been alleged that Aman Sah, Shisupal Sah, Vilash Sah (petitioner), Rukmani Kumari and Jyoti Kumari arrived there and asked to leave the place and when he raised objection, upon which, they abused and told him to leave affection with his daughter. Further, it has been alleged that his daughter was caught sitting in the middle at the motorcycle, a boy was sitting behind her, and Bipin Sah after which they fled away from the spot.

Learned counsel for the petitioner submits that the date of occurrence on 18.05.2021 at about 10.00 pm and the F.I.R. has been lodged after three days from the occurrence i.e. on 21.05.2021. It is further submitted that petitioner is the uncle of Bipin Sah, aged about 55 years and living separately from the house of Bipin Sah.

Learned counsel for the petitioner submits that all allegations against the petitioner is false and baseless. The police submitted charge-sheet against the petitioner under Sections 365, 366A, 504 and 34 of the Indian Penal Code. It is



also submitted that allegation against Bipin Sah who has taken away the daughter of the informant and it is also submitted that the petitioner was neither present at the spot nor any role was played in the said occurrence. The daughter of the informant was major and earlier she was forcibly married with other person against her will and before marriage she had fallen in love with Bipin Sah. She fled away along with Bipin Sah on her own will.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 28.07.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Uda-Kishunganj, Madhepura in connection with Uda-kishunganj P.S. Case No. 154 of 2021.

**(Khatim Reza, J)**

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