

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.17204 of 2022

Arising Out of PS. Case No.-25 Year-2019 Thana- VIDYAPATINAGAR District- Samastipur

Shyam Kumar S/o Ram Babu Mahto R/o village- Kancha, Ward No. 08, P.S.-
Vidyapatnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 363, 366A of the Indian Penal Code but the police after investigation submitted chargesheet under Sections 366, 376, 354/34 of the Indian Penal Code.

The prosecution case, in short, is that on 23.02.2019, unknown persons are alleged to have kidnapped the daughter of



the informant for the purpose of marriage.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the alleged date of occurrence is 23.02.2019 whereas the present F.I.R. was instituted on 03.03.2019 after a long gap without explanation of any delay. He further submits that the statement of the victim was recorded under Section 161 of the Cr. P.C. on 12.06.2019 and subsequently her statement under Section 164 of the Cr. P.C. was recorded on 15.06.2019. He further submits that the petitioner is in custody since 04.01.2022.

Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the victim girl was recovered and the statement of the victim girl was recorded under Section 164 of the Cr. P.C. in which she has categorically supported the allegation as alleged in the F.I.R. and medical report also confirms the allegation as alleged in the F.I.R.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Vidyapatnagar P.S. Case No. 25 of 2019 pending in the



Court of learned Additional Chief Judicial Magistrate, 3rd,
Dalsinghsarai, District- Samastipur.

Prayer is refused.

(Rajesh Kumar Verma, J)

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