

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19113 of 2022**

Arising Out of PS. Case No.-84 Year-2021 Thana- TARABARI District- Araria

Sikandar Sada @ Sikendra Sada Son of Mahangu Sada Resident of Village -
Bhagpuraini, Ward no.17, P.s.- Tarabari, Distt.- Araria.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Advocate.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP.

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 18-07-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

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

Petitioner seeks regular bail in connection with
Tarabari P.S. Case No. 84 of 2021 registered for the offences
under Sections 363, 366(a), 341, 323, 307, 120(B)/34 of the
Indian Penal Code.

As per allegation the informant's minor daughter was
kidnapped by this petitioner one year ago and one month after
that occurrence the victim returned back and thereafter the
informant suspected that this petitioner had intention to kill him
and in this regard the petitioner hatched up conspiracy with co-



accused persons and on 01st August, 2021 three co-accused persons ran away after seeing the police party and then informant again suspected that the said co-accused persons had come at the alleged place of occurrence to commit his murder.

The main submissions advanced by learned counsel for the petitioner are that the allegation with regard to kidnapping made in the FIR is completely unbelievable as the alleged act concerned to the said offence is stated to have been committed one year ago and according to informant the victim girl returned back just after one month of the occurrence but the informant did not lodge any case in respect of the alleged kidnapping and after one year lodged the present case merely on the basis of suspicion. Further submission is that co-accused Shobhansada has been considered for regular bail vide order passed in Cr. Misc. No. 6705 of 2022 and petitioner has got no criminal antecedent.

Learned APP appearing for the State has opposed the bail prayer.

Having considered the above submissions and petitioner's custody period and his clean antecedent mentioned in his petition and also the fact that the informant lodged the present case one year after the alleged kidnapping of his minor



daughter and in the second part of the FIR he simply raised suspicion against the petitioner and co-accused persons accordingly, in the light of these facts petitioner deserves to the privilege of bail, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in Connection with Tarabari P.S. Case No. 84 of 2021.

(Shailendra Singh, J)

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