

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30963 of 2021**

Arising Out of PS. Case No.-168 Year-2019 Thana- JANKINAGAR District- Purnia

SANJIV KUMAR @ SANJIT KUMAR @ SANJEEV KUMAR Son of
Vidyanand Yadav Resident of Village- Maharajganj Ward No.06, P.S.-
Jankinagar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

4 08-03-2022 Heard learned counsel for the parties .

Petitioner seeks regular bail in connection with
Jankinagar P.S. Case No. 168 of 2019 registered for the offence
under Sections 363, 366(A), 34 of the I.P.C.

Allegation in nutshell is that the niece of the
informant had gone to attend the nature's call in the evening on
8 / 10 / 2019 at about 7.00 pm then the petitioner allured and
abducted the niece of the informant with intention to marry her.

Learned counsel for the petitioner submits petitioner
has not committed any offence in the manner alleged and he
has falsely been implicated in this case due to the fact that
petitioner happens to be the neighbour of the informant and



there was inimical terms between the two. He further submits that the victim girl has been recovered and her statement under Section 164 of the CrPC has been recorded on 08-11-2019 wherein she has stated that petitioner had forcibly taken her to Delhi by train and subsequently the petitioner left the victim in the village namely, Murliganj and she stayed in the house of 'Mukhiya' of Murliganj and in the morning the parents of the victim arrived there and took her to home. Learned counsel submits that the girl was not recovered by the police from the captivity of the petitioner and during the course of investigation the statement of 'Mukhiya' of Murliganj has not been recorded. He further submits that the victim girl has not stated in her statement that she was physically abused by the petitioner at any point of time. Petitioner is in custody since 29 / 1 / 2021 having no criminal antecedent and he undertakes to co-operate in the trial.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record, the fact that both the parties are neighbour, the victim girl was not abused physically by the petitioner, the petitioner remained in custody for more than 01 year since 29 / 1 / 2021 having no criminal antecedent and charge sheet has already been



filed, as such, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with Jankinagar P.S. Case No. 168 of 2019 on the following condition:-

(a) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J)

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