

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34741 of 2021**

Arising Out of PS. Case No.-352 Year-2020 Thana- BISFI District- Madhubani

KALICHARAN DAS Son of Late Musafir Das Resident of Village- Madhiya,  
P.S.- Bisfi, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, A.P.P.

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

2      03-01-2022                      Heard Mr. Ravi Prakash, learned counsel for the  
  
petitioner and Dr. Kumar Uday Pratap, learned Additional  
  
Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Bisfi  
P.S. Case No. 352 of 2020 registered for the offences punishable  
under Sections 366(A), 504 and 506/34 of the Indian Penal  
Code 1860.

The allegation as per the First Information Report is  
that the petitioner in conspiracy with other accused persons  
abducted the minor daughter of the informant for the purpose of  
marriage with the co-accused Rahul Kumar Das.

Learned counsel for the petitioner submits that the  
petitioner is maternal uncle of the co-accused Rahul Kumar Das  
with whom the victim girl was in love. Learned counsel further



submits that the statement of the victim girl has been recorded under Section 161 Cr. P.C. in which she has stated that she had gone with the co-accused Rahul Kumar Das on her free will to Delhi and started living along with him as husband and wife. Learned counsel next submits that nothing has been stated by the victim girl in her statement recorded under Section 161 Cr. P.C. as well as under Section 164 Cr. P.C. The petitioner is in custody since 29.9.2020 and charge sheet has already been submitted. He next submits that the Medical Board conducted physical examination of the victim girl and found her age between 17-18 years and no sign of sexual assault was found by the Medical Board. He also submits that there is no likelihood that the petitioner will abscond or tamper with the evidence.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the victim girl in her statement recorded under Section 161 Cr. P.C. has not stated anything against the petitioner and petitioner happens to be the maternal uncle of co-accused Rahul Kumar Das, he is in custody since 29.9.2020, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1<sup>st</sup>, Benipatti, Madhubani, in connection with Bisfi P.S. Case No. 352 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

**(Anil Kumar Sinha, J)**

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