

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36754 of 2021

Arising Out of PS. Case No.-336 Year-2020 Thana- GAIGHAT District- Muzaffarpur

PAPPU KUMAR @ PAPPU RAM Son of Jagdish Ram Resident of Village-
Morsand, P.S.- Runnisaidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 04-04-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Gaighat Police Station Case No. 336 of 2020, registered for the offences punishable under Sections 363/366-A/34 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that the minor daughter of the informant was found missing since the date of occurrence, i.e. from 07.10.2020 and a suspicion was raised by the informant against the persons named in the First Information Report, however, during the course of investigation, the name of the petitioner and one another person, namely, Jageshar Ram, transpired.

Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in this case due to land dispute between the informant and maternal uncle of the petitioner. He further submits that the victim girl was recovered and her statement was recorded by the police, however, there is contradiction in the statements of the victim girl, recorded under Sections 161 and 164 of the Code of Criminal Procedure, 1973 . He further submits that the victim girl has, now, been married to some other person. He further submits that the petitioner is in custody since 08.01.2021.

On the other hand, learned Additional Public Prosecutor, referring to the contents of the case diary, submits that though the informant had raised suspicion against some persons named in the First Information Report, however, during the course of investigation, it has come to light that the petitioner along with his maternal uncle abducted the minor daughter of the informant and had taken her to Mumbai and after recovery of the victim girl, her statement was recorded, under Section 164 of the Code of Criminal Procedure, 1973, in which she has stated that the maternal uncle of the petitioner drugged the victim girl, took her to Mumbai, kept her there for three months and co-accused Jageshar Ram forcibly solemnized marriage of the victim girl with the petitioner and this fact has



been supported by other witnesses during the course of investigation.

Regards being had to the submissions advanced on behalf of the parties and taking into consideration the materials on record and the fact that the minor daughter of the informant was abducted, the petitioner solemnized marriage with her forcibly and in course of investigation, witnesses have stated that the petitioner, along with his maternal uncle, abducted the minor daughter of the informant for the purpose of marriage against her will, I am not inclined to grant regular bail to the petitioner, at this stage.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after six months from today, if the trial does not show any progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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