

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30755 of 2022

Arising Out of PS. Case No.-175 Year-2021 Thana- SIKTI District- Araria

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Upendra Ram @ Upendra Kumar Ram Son of Akalu Ram @ Akalu Mochi
Resident of Village - Pahatgaon Ward No.01, P.s.- Bahadurganj, Distt.-
Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Najali Khatun @ Najali Devi D/o Naziruddin, W/o Upendra Ram @
Upendra Kumar Ram Resident of Village - Barahmasia, Word No.09, P.s.-
Sikti, Distt.- Araria at Present W/o Upendra Ram @ Upendra Kumar Ram ,
Resident of Village - Pahatgaoun ward No.1, P.s.- Bahadurganj, Dstt.-
Kishanganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-08-2022 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 Sikti
P.S. Case No. 175 of 2021 registered for the offences under
Sections 363 and 365 of the Indian penal Code.

As per the allegation, the informant's minor daughter
aged about 14 years went missing and thereafter the informant
got knowledge that the petitioner had kidnapped his daughter



with his accomplice.

The main submissions advanced by learned counsel Mr. Amal Kumar Sinha for the petitioner are that the petitioner has clean antecedent and has been languishing in jail since 23.02.2022 and the so-called victim has been recovered and she has recorded her statement before the Judicial Magistrate in which she has not supported the allegation made in the FIR and accepted her marital relationship with this petitioner and at the present time the said victim is residing at her Sasural that is petitioner's house.

Learned APP Mr. Sanjay Kumar appearing for the State and learned counsel appearing for Opposite Party No. 2 has opposed the bail prayer but accepted that the victim is residing at her Sasural at the present time.

The learned counsel appearing for Opposite Party No. 2 submits that the Vakalatnama on behalf of the Opposite Party No. 2 and authorizing him has been filed through online and hard copy of the same is being filed today before this Court. Let the said hard copy of the Vakalatnama be kept on record.

In view of the above submissions and mainly considering the victim's statement recorded under Section 164 Cr.P.C. which completely goes against the allegation made in



the FIR and also considering the petitioner’s custody period and his clean antecedent, in my view a lenient approach can be taken in respect of the petitioner’s prayer, 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 the concerned Court in connection with Sikti P.S. Case No. 175 of 2021.

(Shailendra Singh, J.)

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