

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30045 of 2022

Arising Out of PS. Case No.-234 Year-2021 Thana- JAKKANPUR District- Patna

Ramnath @ Ram Nath Choudhary Son of Late Chhathu Choudhary Resident of House of Shree Shivji Yadav, Ramadhar Gali, Mohalla-Karbigahiya, Post-G.P.O., P.S.-Jakkanpur, District-Patna, having its permanent residence at Village-Aalapur Sonbarsa, P.S.-Barauli, District-Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No.5, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 28-09-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Learned counsel for the petitioner and learned APP for the State are present.

Petitioner seeks regular bail in connection with Jakkanpur P.S. Case No. 234 of 2021 registered for the offences punishable under Sections 363 and 365 of the Indian Penal Code

Allegedly, the minor daughter of the informant aged about 11 years was kidnapped by this petitioner and co-accused persons.

The main submissions advanced by learned counsel Mr. Sanjay Kumar Pandey appearing for the petitioner are that



the FIR of instant case was lodged twenty eight days after the happening of the alleged occurrence and the said delay has not been explained by the prosecution, both the parties are neighbours having good relation at time of alleged occurrence, in fact the present matter relates to elopement and informant's daughter herself left the custody of her father according to her own will. She was having love affair with son of this petitioner and the said fact has been supported by the victim in her statement under Section 164 CrPC. Further submission is that the petitioner has been languishing in jail since 25.05.2021 and the doctor concerned who examined the victim did not find any external injury on the body of the victim.

Mr. Satyendra Narayan Singh, learned APP for the State has opposed the prayer for bail.

Heard both the sides and perused the FIR and case diary. The petitioner is stated to be father of the main accused and the victim has been recovered and she has recorded her statement before the Judicial Magistrate in which she has not made any allegation against the petitioner. Considering the above submissions and the facts revealed by the victim before the Judicial Magistrate which shows that the victim eloped with the son of this petitioner, and also taking into account the



custody period of the petitioner and also the fact that the investigation has been completed in respect of the petitioner, in the opinion of this Court a lenient approach can be taken in respect of 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 concerned Court in connection with Jakkanpur P.S. Case No. 234 of 2021.

(Shailendra Singh, J.)

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