

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34082 of 2022

Arising Out of PS. Case No.-315 Year-2022 Thana- FORBESGANJ District- Araria

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ASHOK SAH @ ASHOK KUMAR SAH Son of Late Ramanand Sah
Resident of Village - Eidgah, P.S. - Forbesganj, District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranvijay Singh

For the Opposite Party/s : Mr.Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 12-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Petitioner seeks regular bail in Forbesganj P.S Case
No. 315 of 2022 registered for the offences punishable under
Sections 363 and 366A of the Indian Penal Code.

As per allegation, informant minor daughter had gone
outside for call of nature and when she did not return, the
informant started searching her and in course of search, he came
to know that the petitioner and co-accused persons had
kidnapped his daughter.

The main submissions advanced by learned counsel
Sri Ranvijay Singh appearing for the petitioner are that the
petitioner has got no criminal antecedent, the main allegation is



against the co-accused Ujjawal Sah with whom so-called victim has solemnized marriage and in the present time both are leading a conjugal relationship and in this regard the police have found sufficient material during the investigation and against the petitioner there is no overt-act in respect of alleged kidnapping. Further submission is that the petitioner has been languishing in jail since 21.04.2022.

Sri Yogendra Kumar, learned APP has opposed the bail prayer and during course of argument accepted that the main allegation of kidnapping is against co-accused Ujjawal Sah.

In view of the above submissions and considering the petitioner's clean antecedent and also taking into account the fact that the main allegation of kidnapping is against co-accused Ujjawal Sah and the informant made the allegation against the petitioner on the basis of information provided to him by his villagers, in the opinion of this Court the petitioner deserves to a lenient approach of this Court.

Accordingly, the petitioner is directed to 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 Chief Judicial Magistrate, Araria in Forbesganj P.S Case No.



315 of 2022.

(Shailendra Singh, J)

s.hassan/-

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