

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45729 of 2021**

Arising Out of PS. Case No.-57 Year-2021 Thana- TARIYANI CHOWK District- Sheohar

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UMA SHANKAR KUMAR S/o Vikau Paswan R/o village- Ghorhan, P.S.-
Tariyani, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Roy, Advocate.

For the Opposite Party/s : Mr.Pranav Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-02-2022 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. appearing for the State.

Let the defect(s) be removed within two weeks of
the complete start of the physical Court in normal course.

The petitioner, who is in custody since 19.03.2021
seeks regular bail in connection with Tariyani P.S. Case No. 57
of 2021, for the offence punishable under Sections 363, 365,
366A and 120B of Indian Penal Code.

The prosecution case, in brief, is that on
10.03.2021 at 10:30 PM, the minor daughter of the informant
namely Sunder Kumari had gone to attend call of nature in the
field, but she did not return. On search, the informant came to
know that his co-villagers namely Uma Shankar Kumar and
Vikau Paswan have kidnapped his daughter with intention to



marry with Uma Shankar Kumar (petitioner).

Learned counsel appearing on behalf of the petitioner submits that petitioner has not committed any offence as alleged and he has falsely been implicated in this case. The victim in her statement recorded under Section 164 Cr.P.C. has stated that she had gone with the petitioner out of her own will and married with the petitioner in Sitamarhi and they are living together as husband and wife.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Without going into merits of the case, the learned trial Court is directed to record the statement of the victim girl, if already not recorded, as well as the statement of mother and father of the victim and the petitioner, and all the other necessary witnesses and after recording their statement, if the Court below finds it proper in facts and circumstances of the case, shall pass necessary order in accordance with law, without being prejudiced by his earlier order dated 17.04.2021.

If the Court below is prima facie satisfied to release the petitioner on bail, the petitioner, above named be released on bail on such terms and conditions as the court below may deem fit and proper.



Accordingly, with the above observation and direction, the present petition is disposed of.

(Purnendu Singh, J)

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