

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46737 of 2021

Arising Out of PS. Case No.-536 Year-2020 Thana- CHANDI District- Nalanda

SHIVA PRASAD @ SHIV RAM S/o LATE PREM RAM @ VIHARI RAM
R/o VILLAGE-MAHMADPUR, RAM GHAT, P.S-NAGARNAUSA
(WRONGLY WRITTEN IN THE FIR AS CHANDI), DISTRICT-
NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivam

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-01-2022 Heard learned counsel for the petitioner and the State.

The matter has been taken up through video
conferencing.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 366(A), 120(B) of the
Indian Penal Code.

As per the prosecution case, this petitioner along with
other accused persons forcibly kidnapped his daughter on
vehicle No. JH12M-6945.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is submitted that the occurrence took place on
11.11.2020 but the FIR has been lodged on 22.11.2020, after 11
days of the occurrence, without any explanation. The petitioner



has no concern with the vehicle mentioned in the FIR. There is no eye witness of the occurrence and during the course of investigation no one has claimed that this petitioner was either seen with the victim or with the accused persons. From the FIR it also appears that informant had gone to the house of co-accused Alok Kumar to make enquiry about the victim who allegedly abused and assaulted the informant but the informant has not gone to the house of this petitioner for making any enquiry.

Learned counsel appearing for the State opposes the prayer for bail. Petitioner claims clean antecedent and is in custody since 27.02.2021 and investigation in this case is complete.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Chandi PS case No.536 of 2020.

(Prabhat Kumar Singh, J)

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