

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48288 of 2021**

Arising Out of PS. Case No.-131 Year-2021 Thana- TARIYANI CHOWK District- Sheohar

Rakesh Ram Son Of Late Ram Sakal Ram @ Sakal Ram Resident Of Village
- Madhopur Anant, P.S. - Sheohar, District - Sheohar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar

For the Opposite Party/s : Mr. Yogendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 25-01-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in connection with Tariyani
P. S. Case No.131 of 2021, instituted for the offences under
Sections 363, 365, 366-A and 120-B of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 06.06.2021, he is a person with
clean antecedent and charge-sheet has been submitted in the
case.

The informant in the F.I.R. alleges that on 04.06.2021,
she had gone to attend the wedding of the daughter of her
neighbor namely, Ramadhar Rai and her husband was sleeping
in the Dalan and when she came back from marriage at 2.00
A.M. on 05.06.2021, she found her minor daughter aged about



17 years missing from the house and on search, she could not be found. Thereafter, it is alleged that a motorcycle was found parked at the door of Gauri Singh and this petitioner, a stranger to the village, had come to take the motorcycle. On inquiry, he disclosed that he had come to attend marriage with one Bikash Ram and further disclosed that Bikash Ram left in the night itself and also that Bikash Ram uses to talk to the victim. Hence, on suspicion, it is alleged that this petitioner helped Bikash Ram in enticing the daughter of the informant and helped Bikash Ram in eloping with the daughter of the informant.

The learned A.P.P. for the State, at the outset, submits that from the impugned order, it appears that the girl till date has not been recovered.

The learned counsel for the petitioner Sri Prasoon Sinha submits that the girl now has been recovered, but presently he does not have any instruction whether her statement under Section 164 of the Cr.P.C. has recorded or not, but she is staying with her parents. The learned counsel further submits that from perusal of the allegation, as alleged, at best what is alleged against this petitioner is that he helped Bikash Ram in eloping with the daughter of the informant and the said allegation is also based on suspicion.



The Court accepts the submission made by the learned counsel for the petitioner that the girl has been recovered.

Considering the fact that the petitioner is in custody since 06.06.2021, he is a person with clean antecedent, charge-sheet has been submitted in the case and the allegation against him was based on suspicion and the girl has been recovered, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Sheohar in connection with Tariyani P. S. Case No.131 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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