

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41861 of 2022

Arising Out of PS. Case No.-281 Year-2021 Thana- BANKA District- Banka

Ashtanand Sah Son of Late Jagdish Sah Resident of Village - Lauriya, P.s.-
Panjwara, Distt.- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-11-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with Banka
P.S. Case No. 281 of 2021 registered for the offence under Sec-
tion 366 and 34 of the Indian Penal Code.

As per the prosecution, the informant's daughter went
to attend coaching classes on the alleged date but she did not re-
turn back. Further, it was claimed by the informant that his
daughter had been abducted by this petitioner with other co-ac-
cused person on account of non-fulfillment of dowry demand.

The main submissions advanced by Mr. Najmul



Hodda, learned counsel for the petitioner are that the informant's daughter who is stated to be the sole victim of the instant matter is daughter-in-law of the petitioner and two cases were earlier lodged by the informant of this case against the petitioner and other in which the petitioner is on bail and the allegation of abduction made in the FIR is totally false and unbelievable and the husband of the informant carrying the same nature of allegation has been granted bail by a co-ordinate bench of this Court vide order passed in Cr. Misc. No. 6773 of 2022.

Mr. Dinesh Singh, learned APP appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and order impugned. The petitioner is stated to be father-in-law of the informant's daughter (victim) and the allegation of abduction was made by the informant against the husband and in-laws of the victim and the husband Gorelal Sah has been granted anticipatory bail by co-ordinate bench of this Court and admittedly the victim has been recovered and there was no good relation between petitioner and the victim at the time of the institution of the instant matter and as per above submissions the informant had earlier lodged two other criminal cases against the petitioner with different allegations. Considering these facts as well as



above submissions and and the custody period, in the opinion of this court it is a fit case for bail to the petitioner. Accordingly, 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 Banka P.S. Case No. 281 of 2021, on the following conditions.

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailers shall be close a relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

Prashant/-

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