

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55424 of 2021

Arising Out of PS. Case No.-106 Year-2021 Thana- BELA District- Sitamarhi

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Ram Pragash Sah, S/O Late Bishundeo Sah, R/o Village- Sersia Bazar, P.S.-
Bela, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-04-2022 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks regular bail, who is in custody in
connection with Bela P.S. Case No. 106 of 2021 for the offences
under Sections 363, 366A, 341, 323, 504, 506/34 of the Indian
Penal Code.

The prosecution case is that the daughter of the
informant, aged about 16 years, when went to bring fodder for
the cattle in the field, in the meanwhile, four named accused
persons enticed the daughter of the informant. It is further
alleged that when the informant along with others went to the



house of Ranjeet Kumar (son of the petitioner) then he abused and scuffle took place.

It is submitted on behalf of learned counsel for the petitioner that the petitioner only being the father of the said Ranjeet Kumar against whom it is alleged that he enticed the victim girl, the petitioner has subsequently been made accused in the present case, although the present F.I.R. was registered only against four named accused persons. It is further submitted that even as per the F.I.R. there is no allegation of any conspiracy in enticing/taking away the daughter of the informant.

Learned counsel for the petitioner submits at the bar that his son, namely, Ranjeet Kumar, has already surrendered before the court below and he is in judicial custody. The petitioner is in custody since 04.08.2021 and having no criminal antecedent.

On the other hand, learned APP for the State submits that the victim girl is a minor and the name of the petitioner has come during course of investigation.

Having considered the submissions of the parties and taking into the fact that there is no specific allegation against this petitioner and even during course of investigation no



substantive material has come which suggest any complicity of this petitioner in enticing the victim. Further, the accused Ranjeet Kumar (son of the petitioner) has already surrendered and is in judicial custody, let the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI-cum- Special Judge, Sitamarhi in connection with Bela P.S. Case No. 106 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial. (ii) He will remain present on each and every date of trial till disposal of the case. (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial. (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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