

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58318 of 2021**

Arising Out of PS. Case No.-178 Year-2021 Thana- BANKA District- Banka

Yuvraj Kishor Das Son Of Prem Das Resident Of Village - Mukheriya, P.S.-  
Jagdishpur, District - Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                       |
|----------------------------|---|-----------------------|
| For the Petitioner/s       | : | Mr. Ashutosh Kumar    |
|                            |   | Ms. Geeta Kumari Jha  |
| For the Opposite Party/s : |   | Mr. Satya Nand Shukla |

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

2      07-03-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in connection with Banka P.  
S. Case No.178 of 2021, instituted for the offences under  
Sections 366(A) of the Indian Penal Code.

The learned counsel for the petitioner submits that the  
petitioner is in custody since 04.05.2021, he is a person with  
clean antecedent and charge-sheet has been submitted in this  
case.

The learned counsel for the petitioner further submits  
that the informant alleges that the victim had left for tuition to  
Banka on 04.03.2021 at 6.00 A.M. and when she did not return,  
a search was made, but victim could not be found. On the same



day at 6.30 P.M., the petitioner called and wanted to talk to the victim. Hence, on suspicion, the informant alleges that the petitioner might have kidnapped her minor daughter.

The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the entire allegation is based on suspicion. It is further submitted that the informant deliberately in the F.I.R. has concealed the relationship of the petitioner with the victim. It is submitted that the victim is own cousin sister of the wife of the petitioner, as such, it absolutely does not stand to reason why the brother-in-law would kidnap his own cousin sister-in-law.

The learned counsel further submits that the F.I.R. has been instituted after a delay of six day, as such, it appears that the petitioner has been implicated by way of after thought. Though the victim has supported the case in her statement under Section 164 of the Cr.P.C., but has not alleged that she was harmed in any manner.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and the relationship in the F.I.R. stands concealed, 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 Judicial Magistrate,  
1<sup>st</sup> Class, Banka in connection with Banka P. S. Case No.178 of  
2021.

The application stands allowed.

**(Satyavrat Verma, J)**

vikash/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

