

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.54965 of 2022**

Arising Out of PS. Case No.-336 Year-2022 Thana- BHAGWAN BAZAR District- Saran

Sanjay Prasad @ Sanju Singh @ Sarju Prasad @ Sarju Singh Son of Late
Lakhan Singh Resident of Village - Near Hospital More, Sector 12/C, Bokaro
Steel City, P.S.- Bokaro, Distt.- Bokaro, State of Jharkhand.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Kishun Prasad, Advocate

For the Opposite Party/s : Mr.Surendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-12-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by the Stamp Reporter

within two weeks.

Heard learned counsel for the petitioner and Mr.
Surendra Kumar, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail

in connection with Bhagwan Bazar P.S. Case No.336 of 2022

registered for the offences punishable under Section 366(A) of

the Indian Penal Code. He is in custody since 18.07.2022. He

has got no criminal antecedent.

Learned counsel for the petitioner submits that as per

the prosecution story, the minor daughter of the informant had

gone missing on 30.06.2022 at about 2.00 pm when she was

going to school. It is alleged that when the informant had gone



in search of his daughter he got information that one Kundan Kumar, son of Sarju Prasad (petitioner) had kidnapped his daughter.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submit that this petitioner is said to be the father of a boy who had allegedly taken away the victim girl, in her statement under Section 164 Cr.P.C. the victim girl has not implicated this petitioner and no role has been assigned to him in the alleged matter. It is submitted that the petitioner is in custody since 18.07.2022 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner is said to be the father of a boy who had allegedly taken away the victim girl, in her statement under Section 164 Cr.P.C. the victim girl has not implicated this petitioner and no role has been assigned to him in the alleged matter, the petitioner has remained in custody since 18.07.2022 and investigation against him is complete, hence, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra at Saran in connection with Bhagwan Bazar P.S. Case No.336 of 2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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