

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65617 of 2021

Arising Out of PS. Case No.-147 Year-2021 Thana- UCHKAGAON District- Gopalganj

ANKIT KUMAR Son of Ramji Yadav Resident of Village - Bargachhiya,
P.S.- Uchakagaon, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 363 and 366(A)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 09.07.2021, is a person with clean antecedent and charge-sheet has been submitted.

The informant alleges that on 05.05.2021, at about 08:00 p.m., her minor niece, aged about 16 years, had gone to her Bathan to bring water but did not return in the late night, hence, a search was made and, during search, the informant came to know that the victim has been kidnapped by Ankit Kumar, Ramji Yadav, Md. Mazafar and Situ Mian for the purposes of marriage.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and the petitioner and the victim were in love and she eloped with the petitioner and in the medical examination the victim has been assessed in between 17-18 years. Learned counsel further submits that the victim has supported the prosecution case. Learned counsel also submits that the statement of the victim was made under parental pressure as the date of occurrence is 05.05.2021 and the FIR was instituted on 14.05.2021 i.e. after a delay of nine days without any plausible explanation.

Considering the fact that the petitioner is in custody since 09.07.2021, charge-sheet has been submitted, is a person with clean antecedent and there is an inordinate delay in instituting the FIR without any plausible explanation, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Uchakagaon P.S. Case No. 147 of 2021.

(Satyavrat Verma, J)

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