

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66810 of 2021

Arising Out of PS. Case No.-146 Year-2021 Thana- PHULWARISHARIF District- Patna

SURAJ KUMAR Son of Manoj Singh Resident of Village - Nayan Chak,
Alampur Gonpura, P.S.- Phulwari, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Dular Sah

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 31-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Phulwarisharif P.S. Case No. 146 of 2021, G.R. No. 2517 of
2021 registered for the offences punishable under Sections 363,
366(A), 379, 504, 506/34 of the Indian Penal Code.

As per prosecution case, on 11.02.2021 at about
12:00 Noon informant's daughter went to the market and did not
return to home till evening. Thereafter search was made by the
informant and during course of the same informant found that
Rs. 5 lacs alongwith gold ornaments were missing from the
almirah and informant has apprehension that accused-petitioner



has abducted her daughter and further taken away the cash money and ornaments after enticing her.

Learned counsel for the petitioner submits that petitioner is in custody since 28.07.2021. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that the petitioner and victim is in love with each other and both got married by their own will and marriage certificate is at Annexure-2. The statement under Section 164 of Cr.P.C. of the victim has been recorded in which the victim girl under pressure of her parent stated that the petitioner took her from coaching but as per Fardbeyan it has been stated that she was in market while she was taken away.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner as in para 23 of the case diary, victim girl stated that petitioner threatened her to kill if she did not sit in the car. Thereafter, petitioner forcibly took away the victim girl and locked her in a room and same is corroborated with the statement of Section 164 of Cr.P.C.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled



with statement under Section 164 of Cr.P.C., considering all the aspects of the matter, I am not inclined to grant bail to the present petitioner. Accordingly, the prayer for bail of the present petitioner stands rejected.

However, learned court below is directed to expedite the trial.

(Alok Kumar Pandey, J)

amitkr/-

U		T	
---	--	---	--

