

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67072 of 2021**

Arising Out of PS. Case No.-149 Year-2021 Thana- ARA MUFFSIL District- Bhojpur

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SUNIL KUMAR Son of Vijay Yadav Resident of village - Babhangawan,
P.S.- Krishngarh, District - Bhojpur (Ara).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghwendra Pratap Singh, Advocate
For the Opposite Party/s : Mr.Jai Narain Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 18-10-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Ara
(Muffasil) P.S. Case No. 149 of 2021 registered for the offence
under Section 366(A) of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 19.06.2021.

The allegation against the petitioner is to kidnap the
daughter of the informant, for the purpose of illicit intercourse,
who was aged about 17 years at the time of occurrence.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner has falsely been implicated in the



present case due to local enmities. It is submitted that present case was lodged after about four (4) month of the occurrence, merely on the ground that from some unknown mobile number, a photograph was received by informant along with petitioner, on her whatsapp. It is further submitted that even it is not surfaced, during the course of investigation, that petitioner is holder of said mobile, from which the photo of the victim along with petitioner was sent to the informant. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, submitted that victim is yet to be recovered in this case but fairly conceded that charge-sheet has been submitted under Section 366(A) of the I.P.C.

Considering the facts and circumstances as mentioned above, as FIR lodged with a delay of four (4) month without any just explanation, where no incriminating material surfaced/recovered against this petitioner coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 19.06.2021, let the petitioner, above named, is



directed to be released on bail in connection with Ara (Muffasil)
P.S. Case No. 149 of 2021 on furnishing bail bond of
Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like
amount each to the satisfaction of learned A.C.J.M.-VII,
Bhojpur, Ara/concerned court, subject to the conditions as laid
down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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