

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67858 of 2021

Arising Out of PS. Case No.-43 Year-2020 Thana- JALALPUR District- Saran

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Ravi Sah @ Ravi Ranjan Sah @ Rabi Ranjan Kumar Sah @ Rabi Sah Son of
Gujar Sah Resident of Village- Pandey Chapra, P.S.- Rashulpur, District-
Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-05-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with S. Tr. No. 445/2021 arising out of Jalalpur
P.S. Case No. 43 of 2020 registered for the offences punishable
under Sections 366-A of the Indian Penal Code. He is in custody
since 21.06.2021 having no criminal antecedent as stated in
paragraph '3' of the application.

Learned counsel for the petitioner submits that as per
the prosecution story the 18 years old daughter of the informant
went missing from the night of 12.03.2020. He tried to find out



her whereabouts but was not successful. It is stated that on 15.03.2020 the informant found that two mobile numbers were written in her copy. When the informant made a call on the first mobile number, he got to know that his daughter has been taken away by this petitioner. The informant claims that on the basis of the said information when he went to the house of this petitioner then his elder brother Ranjan Sah informed that the petitioner had gone on a Bolero vehicle on 12.03.2020 somewhere but he had not returned home. The informant states that his daughter is a student of BA-II year in a college at Saran. It is alleged that the brother of this petitioner had assured the informant that he will call his brother and will hand-over the girl to the informant but when she did not return home till the date of lodging of the F.I.R. i.e. 19.03.2020, the informant lodged the present F.I.R.

Learned counsel submits that from the F.I.R. itself it is evident that the daughter of the informant is major and the F.I.R. has been lodged at least 7 days after the alleged occurrence which show that the informant was well aware that his daughter has left her home with this petitioner due to love affair between them.

Learned counsel further submits that in this case the



victim girl has returned after about two months and after about two months her medical examination has been conducted in which she has been found carrying a pregnancy of approximately nine weeks. Her age has been assessed as above 19 years by the Medical Board.

It is submitted that in the aforesaid background this petitioner has remained in custody for about 11 months by now, investigation against him is complete and he is also a student so if released on bail he may again connect with his study and to the mainstream of the society.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner. It is submitted that the petitioner had taken away the daughter of the informant.

Having regard to the materials available on the record particularly the admitted age mentioned by the informant in the F.I.R. being 18 years and the medical examination report showing her above 19 years age and she had left her house on her own mentioning the mobile number of the petitioner in her copy and then the F.I.R. has been lodged after seven days, in the nature of the materials present and that the petitioner has already remained in custody for sufficient time during which investigation is complete and his presence may also be secured



in course of trial, therefore, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Saran at Chapra in connection with S. Tr. No. 445/2021 arising out of Jalalpur P.S. Case No. 43 of 2020, 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.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

