

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64532 of 2022

Arising Out of PS. Case No.-29 Year-2021 Thana- PARIHAR District- Sitamarhi

SURESH RAI Son of Ram Sogarath Rai Resident of Village- Manikpur
Mushharniya Tole Khoprahiya, P.S.- Parihar, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 30-11-2022

Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of bail in a case registered under sections 363 and 366A of the Indian Penal Code.

The earlier application for bail of the petitioner was rejected vide order dated 24.3.2022 passed in Cr. Misc. no.47422 of 2021.

As per the prosecution case, the minor daughter of the informant was kidnapped by the accused persons including the petitioner herein.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case for oblique reasons. The main reason for rejection of the earlier application for bail filed by the petitioner was that the victim



was not recovered. Referring to the order of the learned court below, it is submitted that the victim was recovered by the police and her statement was recorded under section 164 Cr.P.C. wherein she has not supported the prosecution case. The petitioner has no concern with the alleged occurrence. He is in custody since 4.4.2021.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the contents of the order of the learned trial court from which it transpires that the victim who has been recovered, in her statement under section 164 Cr.P.C. did not support the prosecution case together with the petitioner having remained in custody since 4.4.2021, the Court directs the petitioner to be enlarged on bail in connection with Trial no.131 of 2021 (arising out of Parihar P.S. Case no.29 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 the learned Additional District Judge VI, Sitamarhi.

(Partha Sarthy, J)

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