

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3548 of 2023

Arising Out of PS. Case No.-35 Year-2022 Thana- TISIAUTA District- Vaishali

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MUKUL KUMAR THAKUR S/O LATE BHUNESHWAR THAKUR @
BHUNESH THAKUR Resident of village- B.M.P.-6 in front of Dolphine
Public School, Near, Jagdish Nagar, P.S.- Kanhauli, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 10-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection
with Tisiauta P.S. Case No.35 of 2022 dated 13.04.2022
registered for the offences punishable under Sections 363, 365
and 366/34 of the Indian Penal Code.

3. As per the prosecution, the informant's wife
and daughter went missing from the alleged date and time.
Further this petitioner is alleged to have made a phone call to
the informant's wife that the informant has met with an accident
and some money is needed for treatment and then the
informant's wife along with her child left the house with some
money and since then both the victims are missing.



4. The main submissions advanced by the learned counsel for the petitioner are that the informant has filed the case of the instant matter with an intention to grab the land of the petitioner's share as informant's father and grandfather of the petitioner are full brothers, there is no specific allegation against the petitioner and he has been languishing in jail since 10.06.2022 and as per the statements of the material witnesses recorded during investigation the main allegation of calling the victim by using mobile phone is against co-accused Anmol Thakur and the petitioner has been dragged in this case on account of being brother of the said co-accused and any specific role of the petitioner in enticing the victim to leave informant's house has not been revealed.

5. Learned APP appearing for the State has opposed the bail prayer and submitted that there are two victims and they are still traceless and the matter relates to serious offence of human trafficking.

6. Heard both the sides and perused the FIR and the Case Diary of this case. The petitioner is named in the FIR, though against him there is no specific allegation in respect of calling and abducting the victims but admittedly the informant's wife and a minor child are still traceless, in the



opinion of this Court the petitioner does not deserve to the privilege of bail as according to the case diary dated 06.08.2022 the investigation is still pending. Accordingly, his bail prayer stands rejected.

(Shailendra Singh, J)

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