

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16197 of 2023

Arising Out of PS. Case No.-292 Year-2021 Thana- VAISHALI District- Vaishali

SUBODH OJHA @ SAROJ OJHA @ SUBODH KUMAR OJHA Son of Late
Ram Narayan Ojha R/V- Mishraulia Azadpur P.S- Vaishali (Belsar O.P) Dist-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-03-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with Vaishali (Belsar O.P.) P.S. Case No. 292 of 2021, registered for the offences punishable under Sections 363 and 366(A) of the Indian Penal Code.

As per the prosecution, on 22.07.2021 petitioner came at the house of the informant and told her that her father was lying ill and after that the informant went with him along with



her younger daughter to Mishrauliya Afzalpur but after reaching there the informant found that her father was alright and thereafter in the night at 9 p.m, her minor daughter went missing.

The main submissions advanced by petitioner's counsel are that the petitioner earlier preferred Cr. Misc. No. 6229 of 2022 for the relief of regular bail and that prayer was rejected by this Court on 10.08.2022 and thereafter the petitioner has again come before this Court for the same relief mainly on this ground that the victim has been recovered and she has recorded her statement under Section 164 of Cr.P.C. in which she has denied the allegations of the FIR and when the petitioner's earlier prayer was rejected by this Court the victim was not recovered at that time which was mainly considered by this Court while rejecting the petitioner's earlier prayer. Further submission is that the petitioner has been charge-sheeted and he has been languishing in jail since 27.09.2021 and his case is at initial stage of trial.

Learned APP appearing for the State has opposed the prayer for bail.

In view of the fresh developments as stated above and also taking into account the petitioner's custody period, the



petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Vaishali (Belsar O.P.) P.S. Case No. 292 of 2021.

(Shailendra Singh, J.)

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