

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19829 of 2022**

Arising Out of PS. Case No.-311 Year-2021 Thana- PHULWARISHARIF District- Patna

RANJEET KUMAR SON OF ANIL SAO R/O VILLAGE- JANIPUR  
NAGWA, P.S.- JANIPUR (PHULWARISHARIF), DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

4      03-01-2023      Heard the learned counsel for the petitioner  
and the learned APP for the State.

The petitioner seeks regular bail in connection with Phulwarisharif (Janipur) P.S. Case No. 311 of 2021, registered for the offence punishable under Sections 363, 366(A)/34 of the Indian Penal Code.

The case, according to the prosecution, is that the daughter of the informant had suddenly disappeared from the house on 19.3.2021 at about 5:00 am. in the morning and it is alleged that the petitioner had allured her and taken her away. It is also alleged that earlier also, the



petitioner used to entice the victim girl and take her away along with him.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 30.07.2022. The learned counsel for the petitioner has further submitted that the petitioner has already been granted bail by a coordinate Bench of this Court, vide order dated 21.7.2022, passed in Criminal Miscellaneous No. 20043 of 2022, as far as subsequent incident of the petitioner having allured the victim girl on the occasion of Maha Shivratri and having put vermilion on her forehead is concerned. Lastly, it is submitted, by referring to the statement made by victim girl under Section 164 Cr.P.C. before the learned Magistrate, that the victim girl has herself stated that she had voluntarily left her home, whereafter she had called the petitioner and solemnized marriage with him. Thus, it is submitted that the petitioner is having no



complicity in the matter, especially considering the fact that the victim girl is a major, as is apparent from her Aadhar Card, annexed as Annexure-4 to the present petition, wherein her date of birth has been mentioned as 1.1.2002.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the statement made by the victim girl under Section 164 Cr.P.C. before the learned Magistrate, apart from the fact that the Aadhar Card of the victim girl depicts her to be a major and the entire incident prima facie appears to be consensual in nature, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with



two sureties of the like amount each to the satisfaction of learned Sub-Judge IX cum Additional Chief Judicial Magistrate-IX, Patna/Concerned Court in connection with Phulwarisharif (Janipur) P.S. Case No. 311 of 2021.

**(Mohit Kumar Shah, J)**

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