

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27766 of 2022

Arising Out of PS. Case No.-141 Year-2021 Thana- SINGHESHWAR District- Madhepura

SANTOSH KUMAR RISHIDEO Son of Kailu Rishideo @ Govind Rishidev
Resident of Village - Jharkaha, Ward no.5, P.s.- Shankarpur, Distt.-
Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ashok Sharma, aged about 53 years, S/o- Laxmi Sharma, R/o vill- Dandari,
P.S. Singheshwar, Dist- Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vipin Kumar Singh, Adv.
For the State	:	Mr. Md. Anbzarul Haque Sahara, APP.
For the Informant/s	:	Mr. Ranjan Kumar Dubey, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 28-02-2023 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, learned APP for the State and learned counsel for the opposite party No. 2.

Petitioner seeks regular bail in connection with Singheshwar P.S. Case No. 141 of 2021 registered for the offence punishable under Section 366(A)/34 of the Indian Penal Code.

As per the prosecution, the informant alleged that his daughter was kidnapped by the petitioner along with other four



named co-accused persons for marrying his daughter with the petitioner. It is further alleged that on objection, the informant was threatened that his daughter would be killed if he will make noise.

The main submissions advanced by petitioner's counsel are that the so-called victim has been recovered and she has recorded her statement under Section 164 of Cr.P.C., in which she denied the allegations of the FIR and the petitioner is a young boy and in actual, the father of the victim was adamant to marry the so-called victim to a handicapped person, owing to which his daughter left her father's house according to her own will and the instant matter relates to love affair between the petitioner and the informant's daughter, which has been accepted by the victim herself before the Judicial Magistrate and she also accepted her matrimonial relationship with this petitioner and the petitioner has been languishing in jail since 10.06.2021.

Learned counsel for the opposite party No. 2 and learned APP for the State have vehemently opposed the bail prayer.

In view of the facts, as stated above and mainly considering the victim's statement recorded under Section 164



of Cr.P.C., which completely goes against the allegations made in the FIR, in my view it is a fit case for bail to the petitioner. 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 Court concerned in connection with Singheshwar P.S. Case No. 141 of 2021.

(Shailendra Singh, J)

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