

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30094 of 2022

Arising Out of PS. Case No.-282 Year-2021 Thana- DAGARUA District- Purnia

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DILSHAD Son of Jiyabul @ Jiyaul Resident of Village-Dubaili, Ward No.-5,
Police Station-Dagarua, District-Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar Singh
For the Opposite Party/s	:	Mr.Vinod Shanker Modi
For the State	:	Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

3 03-01-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as

the learned counsel for the informant and also heard Mr.

Shailendra Kumar, the learned Additional Public Prosecutor for

the State.

The petitioner apprehends his arrest in connection with

Dagarua P.S. Case No. 282 of 2021, registered for the offences

punishable under Sections 363, 366(A)/34 of the Indian Penal

Code.

As per allegation, eight named accused persons had

kidnapped the minor daughter of the informant.



The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has submitted further that paragraph nos. 8 and 9 of the case diary contain the statement of relatives of the victim, who stated that there was love and affection between the petitioner and the alleged victim. He has also submitted that in the statement under Section 164 of the Code of Criminal Procedure though the victim has stated that she was kidnapped, but she has mentioned categorically that no misbehavior was done to her.

On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the minor girl of the informant was kidnapped by eight named accused persons, including the petitioner.

Near relatives of the victim did not support the factum of , kidnapping, rather they have stated that there was love and affection between the alleged victim and the present petitioner, which was reason for false implication of this petitioner.

Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with



two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Dagarua P.S. Case No. 282 of 2021, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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