

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41746 of 2022

Arising Out of PS. Case No.-696 Year-2017 Thana- BETTIAH CITY District- West
Champaran

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NAVIN KUMAR SINGH @ NAVIN SINGH S/O Sri Niwas Singh Resident
Of Village- Matariya, P.S.- Harsidhi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

8 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 Bettiah Town P.S. Case No. 696 of 2017, registered for the offences punishable under Sections 363 and 366 of the Indian Penal Code.

As per the prosecution, the informant's wife and daughter were abducted by this petitioner with the help of other co-accused persons.

The main submissions advanced by petitioner's counsel are that the FIR was lodged after thirteen days from the date of



commission of the alleged occurrence of abduction and admittedly the main victim who happens to be wife of the informant is a major woman and there is no eye-witness of the entire occurrence which is evident from the FIR as well as victim's own statement and during the investigation the said victim was found along with her brother at bus stand and she was not recovered from the captivity of petitioner and there is no material to substantiate the victim's allegation as to she was abducted and made hostage by this petitioner and in the FIR the informant accepted that the petitioner used to visit the house of the informant and the petitioner is a relative of the informant. Further submission is that the petitioner has been languishing in jail for the last one year and one month and his trial has started and the charges have been framed upon him.

Learned APP appearing for the State has opposed the prayer for bail and submitted that the victim has made serious allegations against the petitioner in her statement recorded before the Judicial Magistrate.

In view of the facts, as stated above and mainly considering the circumstances that the victim was found along with her brother during investigation, there is no submission by prosecution's counsel as to how the victim has been recovered from the captivity of the petitioner and there is also no material to



show that the victim herself managed to escape from the captivity of the petitioner and the petitioner is a relative of the informant and as per FIR he used to visit informant's house and the victim is a married woman and also taking into account the petitioner's custody period and the stage of his trial, in my opinion 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 concerned Court in connection with Bettiah Town P.S. Case No. 696 of 2017.

(Shailendra Singh, J.)

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