

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56536 of 2022

Arising Out of PS. Case No.-39 Year-2022 Thana- DIGHA District- Patna

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Jitendra Kumar @ Kunkun S/o Shivji Ray @ Shivji Singh Resident of-
Sahdulahpur, Mahnar Road, P.S.- Ganga Bridge, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance:

For the Petitioner/s	:	Mr. Rahul Kumar Singh, Advocate
For the Informant	:	Mr. Sarvan Kumar, Advocate
For the Opposite Party/s	:	Mr. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 21-02-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and the learned APP for the State.

Petitioner seeks regular bail in connection with Digha P.S.
Case No. 39 of 2022 registered for the offences punishable
under Sections 363 and 366(A) of the Indian Penal Code.

As per the prosecution, the informant alleged that his
minor daughter aged about fifteen years was kidnapped by this
petitioner, who is the informant's nephew.

The main submissions advanced by Mr. Rahul Kumar
Singh, learned counsel for the petitioner are that the petitioner
has fair and clean antecedent and languishing in jail since
18.06.2022 and he is near relative of the informant and there
was relationship between this petitioner and the so called victim
and the same was in the knowledge of informant and the FIR

was lodged with malice intention and the petitioner did not kidnap the victim rather she went out from her house with her own consent.

Mr. Sarvan Kumar, learned counsel for the informant submits that the trial of the petitioner is at final stage and only one witness of the prosecution remains to be examined so at this stage it will not be proper to enlarge the petitioner on bail.

In view of the facts, as stated above and mainly considering the fact that the petitioner’s trial is at final stage and all the witnesses except one have been examined in his trial, so at this stage it will not be proper to enlarge him on bail. Accordingly, his prayer stands rejected.

Petitioner is given liberty to renew his bail prayer after four months if his trial is not completed in the said period.

(Shailendra Singh, J)

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