

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59007 of 2022

Arising Out of PS. Case No.-163 Year-2022 Thana- PATLIPUTRA District- Patna

Arnav Ray @ Banti Kumar Son of Sri Manish Mahto @ Manish Kumar
Purani Panapur, P.S.- Danapur, District - Patna, At present - Digha Haat,
Akhara Gali, Yadav Colony, Renter of Ajay Rai, P.S.- Digha, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar Singh, APP
For the Informant	:	Mr. Sanjeev Kumar Sanju, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 16-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Patliputra
P.S. Case No.163 of 2022 registered for the offence under
Sections 365 and 366 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.03.2022.

The allegation against the petitioner is to kidnap the
daughter of informant aged about twenty years, while she went
to collect her admit card at Danpur College alongwith other
named co-accused persons with further allegations of
blackmailing.

Learned senior counsel appearing on behalf of the



petitioner submitted that entire thrust of allegation as regard to blackmailing is available against co-accused, namely, Himansu as per F.I.R. It is submitted the maximum incriminating circumstances what appears against this petitioner as per F.I.R. and also as per investigation is of last seen. It is also pointed out that it is a case of suicide as it appears from the F.I.R. itself, where the said fact was disclosed by the victim herself to younger sister on mobile. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State duly assisted by learned counsel appearing on behalf of informant, while opposing the prayer for bail submitted that victim was last seen with petitioner near Digha Bridge. It is submitted that in the absence of dead body, it cannot be said safely that victim committed suicide.

In view of the facts and circumstances as mentioned above and by taking note of the allegations, where thrust of allegation is available against co-accused Himansu and allegation against petitioner is limited of “last seen” with the



victim coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be released on bail in connection with Patliputra P.S. Case No.163 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-X, Patna/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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