

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61835 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- DHANKUND District- Banka

SHYAM KAHAR Son of Late Gulabi Kahar Resident of Village - Makaita,
P.S.- Dhankund, District – Banka. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 363,366/34 of IPC.

The allegation against the petitioner, as per FIR, is
that the petitioner and one Kapil Singh kidnapped the married
daughter of the informant, namely, Shobha Devi and sold her to
one Kamlesh, lived in Rajsthan.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. Further submits that the
allegation as alleged in the FIR is false and fabricated and the
petitioner was not involved in the present occurrence. Further
submits that from perusal of the FIR it transpired that the victim
is a married lady and relation between the victim and her
husband was bitter. Further submits that the allegation against



the petitioner is that he sold the daughter of the informant. Further submits that in fact the petitioner being the well-wisher of the informant and he was told by the informant to search a suitable person with whom the daughter of the informant to solemnize marriage.

Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the victim girl was recovered and her statement under Section 164 Cr.P.C. was recorded in which she has categorically stated that the petitioner has forcefully took her away from her maternal home and forced her to perform marriage with co-accused Kamlesh Kumar. Further submits that it has come during investigation that the petitioner has actually participated in the present occurrence.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Dhankund P.S. Case No. 13 of 2022 corresponding to G.R.No.414 of 2022 pending in the Court of learned S.D.J.M., Banka.

Prayer is refused.

(Rajesh Kumar Verma, J)

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