

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65036 of 2022

Arising Out of PS. Case No.-217 Year-2022 Thana- GAIGHAT District- Muzaffarpur

Aditya Raj @ Aditya Kumar Son of Mohan Singh Resident of Village-
Baghakhal, P.S.- Gaighat, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 11-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Gaighat P.S. Case No. 217 of 2022 dated 09.05.2022 registered
for the offences punishable under Sections 363, 366(A) and
372/34 of the Indian Penal Code.

As per the prosecution, the informant alleged that this
petitioner along with four other named co-accused persons
kidnapped his daughter and his daughter's friend on account of
marriage and flesh trading when they (victims) had gone to
temple.

The main submissions advanced by petitioner's
counsel are that the petitioner is co-villager of the victims and
the FIR itself indicates that at the relevant time of the



commission of the alleged occurrence, the said victims were seen talking with the accused persons including the petitioner and thereafter as per the allegation, they were forcefully taken by the accused persons and the said allegation is completely doubtful and unbelievable as no resistance was made by the victims when they were forcefully taken and the petitioner has fair and clean antecedent and has been languishing in jail since 10.05.2022 and the informant is not stated to be an eye-witness of the alleged occurrence, in fact the so-called victims were having love affair with the co-accused persons namely Sanjay and Niraj and consequently they eloped with them and the petitioner has been falsely implicated in this case.

Learned APP appearing for the State has opposed the bail prayer.

Considering the seriousness of the accusation appearing against the petitioner, which relates to kidnapping of two minor girls and the petitioner is named in the FIR and two persons claimed to have seen the petitioner forcefully taking the victims with the help of other co-accused persons and admittedly, the victims are still traceless and the case diary goes to show that on the point of recovery of the victims, the investigation has been kept pending, in my opinion it is not a fit



case for bail to the petitioner at this stage. Accordingly, his prayer for bail stands rejected.

The petitioner may renew his bail prayer after six months if new circumstance appears in favour of the petitioner.

(Shailendra Singh, J)

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