

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66646 of 2022

Arising Out of PS. Case No.-181 Year-2022 Thana- NADI P.S. District- Patna

1. Santosh Kumar S/O Baiju Singh R/V- Nizampur, Post- Kachchidargah, Fatuwah, P.S.- Didarganj, District- Patna, Bihar- 803201
2. Bablu Singh @ Bablu Yadav S/O Baiju Singh R/V- Nizampur, Post- Kachchidargah, Fatuwah, P.S.- Didarganj, District- Patna, Bihar- 803201

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 64240 of 2022

Arising Out of PS. Case No.-181 Year-2022 Thana- NADI P.S. District- Patna

Sunil Rai @ Sunil Ray S/O Brahmadev Rai R/V- Kandap, P.S.- Gaurichak, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 66646 of 2022)

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Sunil Kumar Pandey

(In CRIMINAL MISCELLANEOUS No. 64240 of 2022)

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-04-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application

for grant of regular bail in a case registered for the



offences punishable under Sections 366(A) of the Indian Penal Code.

The prosecution case in nutshell is that daughter of the informant had gone for coaching but she did not return. Even after hectic search she was not traced out. It is further submitted that informant raised suspicion that his daughter might have been enticed away by the co-accused Tuntun Kumar. The informant further suspected that his daughter might be ravished or killed by co-accused Tuntun Kumar.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. Petitioners are not named in the F.I.R. There is no specific allegation levelled against the petitioners. The victim has not whispered about the complicity of petitioner in her elopment, in her statement recorded under Section 164 of Cr.P.C. It is further submitted vide para 10 of the petitioner(Cr. Misc.



No. 66646 of 2022) that victim was having love affair with co-accused Tuntun and she has solemnized marriage before the Marriage Registrar, Patna, with him out of her own sweet will. Victim is a major lady. It is also submitted that Sunil Kumar Yadav @ Afat Gop, on whom it is allegation that he was present along with brother of the co-accused Tuntun Kumar, namely, Bablu Singh @ Bablu Yadav (Petitioner in Cr. Misc. No. 66646 of 2022) is a different person and the petitioner (Cr. Misc. No. 64240 of 2022) has absolutely no concern with him. It is further submitted that the petitioners are only victim of circumstances and for no fault on their part they have been languishing in judicial custody since 4.6.2022. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and



circumstances of the case as well as period of custody,
this Court is inclined to enlarge the petitioners on bail.
The above named petitioners are directed to be enlarged
on bail in connection with Nadi P.S. Case No. 181 of
2022 on furnishing bail bond of Rs. 10,000/- (Rupees
ten thousand) each with two sureties of the like amount
each to the satisfaction of the learned Judicial
Magistrate, 1st Class, Patna City, Patna.

(Sunil Kumar Panwar, J)

nirajkrs/-

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