

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67379 of 2022**

Arising Out of PS. Case No.-648 Year-2017 Thana- HAJIPUR SADAR District- Vaishali

Raja Kumar, Son of Late Mahesh Sah, R/o Village-Dighikala East, P.S.-  
Hajipur Sadar, District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Anil Kumar, Advocate  
For the Opposite Party : Ms. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      24-02-2023                      Heard learned counsel appearing on behalf of the  
petitioner and learned Additional Public Prosecutor for the  
State.

The petitioner seeks bail in connection with Hajipur  
Sadar P.S. Case No.648 of 2017 registered for the offences  
punishable under Sections 363, 366, 494 and 498 of the Indian  
Penal Code.

The petitioner/accused is named in the first  
information report and is in custody since 13.09.2022.

The allegation against the petitioner is to kidnap the  
daughter-in-law of the informant, who was carrying pregnancy  
of three months at the time of occurrence on the pretext of  
medical treatment at Patna.

It is submitted by learned counsel appearing for  
petitioner that petitioner has been falsely implicated in this case



due to misconception of fact. It is submitted that petitioner is family member of the informant and he extends his help to daughter-in-law of informant. It is submitted that subsequent to the occurrence, informant of this case filed a petition before the Chief Judicial Magistrate, Vaishali, retracting from her own version stating thereof that this petitioner is not involved in this occurrence rather she came to know later on that her daughter-in-law went somewhere on her own. Learned counsel further submitted that husband of victim lives at Delhi and she was under habit to leave matrimonial home frequently without giving knowledge and obtaining consent from her in-laws. While concluding the argument, it is submitted that investigation of the this case has already been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP while opposing the prayer for bail submitted that still the victim is traceless.

In view of the above-mentioned facts and circumstances and by taking note of retracted version of the informant, suggesting non-involvement of the petitioner in presence occurrence, coupled with the fact that charge-sheet has already submitted, the above named petitioner is directed to be



released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No.648 of 2017, subject to the conditions as mentioned under Section 437(3) of the Code of Criminal Procedure.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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