

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72352 of 2022

Arising Out of PS. Case No.-306 Year-2022 Thana- FORBESGANJ District- Araria

Sahadat @ Sahadat Alam Son of Israfil @ Md. Iesrafil R/V- Pokhariya, P.S-
Bardaha, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 04-01-2023 The learned counsel for the petitioner is directed
to remove all the defects pointed out by the Stamp Reporter
within one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Sessions Trial No. 483 of 2022 arising out of Forbesganj P.S.
Case No. 306 of 2022 registered for the offences punishable
under Sections 365, 366 and 366A of the Indian Penal Code.

As per the prosecution, the petitioner and co-accused
persons kidnapped the informant's minor daughter after enticing
her and during the course of search the informant got the
information that the petitioner and co-accused persons
kidnapped his daughter by using motorcycle.



The main submissions advanced by learned counsel Mr. Mukesh Kumar Rana appearing for the petitioner are that the petitioner earlier preferred Cr. Misc. No. 32307 of 2022 for the relief of regular bail which was rejected by this Court with a given liberty to the petitioner to renew his bail prayer after framing of charge and thereafter charge has been framed upon the petitioner on 29.11.2022 by the trial Court vide Annexure 4. After framing of charge no prosecution witnesses have been examined till now. Further submission is that the petitioner has clean antecedent and languishing in jail since 23.03.2022 and the Doctor concerned who medically examined the victim did not find any sign of sexual assault on the body of the victim and the so-called victim has been recovered and the statement of the victim given before the Judicial Magistrate was tutored.

Learned APP Mr. Kalyan Shankar appearing for the State has opposed the bail prayer.

Considering the above submissions and mainly taking into account the facts that upon the petitioner the charges have been framed and in the present time he is facing trial which is at initial stage and the petitioner has been languishing in jail since 23.03.2022 and as per the above submission the prosecution is very slow in producing the witnesses and the petitioner has



clean antecedent having young age, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer. Accordingly, let the petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Sessions Trial No. 483 of 2022 arising out of Forbesganj P.S. Case No. 306 of 2022.

(Shailendra Singh, J)

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