

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11985 of 2024

Arising Out of PS. Case No.-251 Year-2023 Thana- KHODAWANDPUR District- Begusarai

Jibachh Kumar @ Jibachh Yadav @ Jivahh Kumar @ Jivachh Kumar Son of
Ram Kumar Yadav @ Raj Kumar Yadav @ Ram Kumar Resident of Vill.-
Dumri (Ekamba), P.S.-Khodawandpur, Distt.-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr.Md. Matloob Rab, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 366(A), 504, 506, 34 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including the petitioner are said to have enticed the minor daughter of the informant and kidnapped her. On asking about the victim, the accused persons threatened the informant of dire consequences.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and he has committed no offence. No such occurrence as alleged ever took place. He



has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is inordinate and abnormal delay of about 15 days in lodging the FIR without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. The statement of the victim has been recorded under Section 164 Cr.P.C. in which she has not supported the prosecution case and stated that her age is 18 years. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the victim has not supported the prosecution case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Khodawandpur P.S. Case No. 251 of



2023, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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