

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16586 of 2024

Arising Out of PS. Case No.-237 Year-2023 Thana- DANIYAWAN District- Patna

Rakesh Thakur Son of Late Ramchandra Thakur Resident of Village - Netar,
P.S. - Daniwana, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 08-05-2024 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing for the State.

2. In this present case, the petitioner is apprehending his arrest in connection with Daniawan P.S. Case No. 237 of 2023, registered on 10.09.2023 for the offences under Sections 363 and 365 of the Indian Penal Code.

3. As per prosecution case, petitioner and the co-accused enticed away the minor daughter of the informant and further allegation against this petitioner is that he called the son of the informant and asked him to transfer Rs.30,000/- in his account and stated that thereafter he would return his sister.

4. Learned counsel appearing on behalf of the petitioner submits that the case has been lodged merely on suspicion as is evident from the F.I.R. The date of occurrence is

stated to be 20.04.2023 whereas F.I.R has been registered on 10.09.2023 without any explanation. The informant has not even mentioned the correct date of missing of her daughter as witnesses have stated that daughter of the informant went missing in August, 2022. There is no specific allegation against the petitioner, supported without any substantive material and the whole case is based on suspicion. The petitioner has criminal antecedent of two cases and in both cases he is on bail.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering lack of substantive material against the petitioner to connect him with the offences as alleged and also considering possibility of false accusation, let the petitioner, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Patna City/concerned court in connection with Daniawan P.S. Case No. 237 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal

Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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