

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20296 of 2024

Arising Out of PS. Case No.-305 Year-2023 Thana- JAMOBABAZAR District- Siwan

SHAILESH KUMAR Son of Late Ram Pravesh Mahto Resident of Village-
Rachhopali, P.S.-Jamo Bazar, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 14-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Jamo
Bazar P.S. Case No. 305 of 2023 instituted for the offence under
Sections 363, 366, 504 & 34 of the Indian Penal Code.

3. Prosecution case as emanated from the FIR is that
co-accused including the petitioner has abducted the daughter of
the informant, while she went to attend her coaching classes.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 30-12-2023. Petitioner is a
man of clean antecedent.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely implicated in the present



case. It is submitted that there is delay of two days in lodging of the FIR. It is next submitted that there is no eye witness to the occurrence. It is submitted that victim is major and on the basis of radiological examination, there is no any external or internal injury on the body of the victim. It is submitted that from perusal of the statement of the victim recorded under Section 164 of the Cr.P.C., it would reveal that victim has gone with the petitioner at her own volition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to paragraph No. 60 of the case diary, it is submitted that there is direct allegation against the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, fact that victim herself has gone with the petitioner at her own volition and taking into account the medical report, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, **after framing of charge, if not already framed**, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jamo Bazar P.S.



Case No. 305 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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