

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37721 of 2024

Arising Out of PS. Case No.-664 Year-2023 Thana- MADHAURAH District- Saran

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Ramjee Ray @ Ramjee Rai son of Sita Ray Vill- Ujari Senduari Ps-
Marhawrah Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Marhawrah P.S. Case No. 664 of 2023, registered for the offences under Sections 363, 366(A) of the Indian Penal Code.

3. As per the prosecution case, the minor daughter of the informant went missing from the village temple and the informant came to know that this petitioner and other co-accused persons kidnapped her daughter with intention of marriage.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The occurrence took place on

02.10.2023 but the F.I.R. was lodged on 17.10.2023 without any explanation. The victim and the petitioner produced themselves before the police on 17.10.2023 wherein statement of the victim girl was recorded. She stated that she went with the petitioner out of her sweet will and did not level any allegation of harassment against the petitioner. Thereafter, the statement of the victim girl was also recorded under Section 164 of the Code of Criminal Procedure wherein she stated that she fled away from her house on 26.09.2023 and along with the petitioner she went to Dewariya where they solemnized marriage and thereafter she started living with the petitioner. When her family members started pressurizing her to return she informed the police and the facts was apprehended. Learned counsel further submits that thus it is clear that there is no wrong doing on part of the petitioner who is in custody since 18.10.2023 and charge sheet has been submitted on 31.10.2023.

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

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the statements of the victim girl recorded under Section 161 and 164 of the Code of Criminal Procedure, period of custody and

submission of charge sheet, the petitioner is directed to 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 C.J.M., Saran at Chapra/concerned court, in connection with Marhawrah P.S. Case No. 664 of 2023, subject to the condition laid down under Section 437(3) 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 below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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