

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40854 of 2024

Arising Out of PS. Case No.-41 Year-2023 Thana- DHANAHA District- West Champaran

Deepak Ram @ Deepak Kumar S/O Late Thakur Ram @ Raj Kumar
Ram @ Jhakkar Ram Resident of Village Tamkuhwa(Tama Kuha) P.S.
Dhanaha District West Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Subhash Giri son of Late Nageshwar Giri R/o village- Tamkuhawa,
P.S.- Dhanaha, Dist.- West Champaran

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Ajeet Kumar Bhawdwaj, Advocate
For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-06-2024 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. Petitioner seeks bail in connection with Dhanaha

P.S. Case No. 41 of 2023 registered for the offences under

Sections 366A, 34 of the Indian Penal Code.

3. The petitioner is named in the First Information

Report and is in custody since 17.07.2023.

4. Allegation against the petitioner is to kidnap the

minor daughter of the informant aged about 17 years for

purpose of marriage/illegal intercourse.

5. It is submitted by learned counsel appearing on



behalf of the petitioner that petitioner falsely implicated in this case as the love affairs of petitioner with the daughter of the informant was not approved by her parents including informant. It is submitted that out of said love affairs, daughter of the informant, who was major by that time, solemnized her marriage with the petitioner out of her own sweet-will. It is further submitted that this fact supported by the victim herself while making her statement under Section 161 of the Code of Criminal Procedure (in short 'Cr.P.C.'). While concluding argument, it is submitted that investigation in this case is completed long back for which charge-sheet has already been submitted and for no offence, the petitioner is in custody since 17.07.2023, who is otherwise man of clean antecedent.

6. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

7. In view of aforesaid facts and circumstances as the victim through her statement retracted the version of kidnapping and stated that she went out of her own sweet-will with the petitioner and solemnized marriage, coupled



with the fact that investigation of this case is completed and, moreover, petitioner is a man of clean antecedent, who is in custody since 17.07.2023, accordingly, above-named petitioner is directed to be released on bail in connection with Dhanaha P.S. Case No. 41 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.D.J. - VII, West Champaran, Bettiah, subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Chandra Shekhar Jha, J.)

Rajeev/-

U		T	
---	--	---	--

