

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45029 of 2024

Arising Out of PS. Case No.-130 Year-2023 Thana- BAJPATI District- Sitamarhi

Prince Kumar Sah @ Prince Kumar @ Subham @ Totla S/o Harishankar Sah
@ Shankar Sah R/o Village-Basaha, P.S.-Bajpatti, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjeet Kumar Jha @ Sujeet Kumar S/O- Late Rajiv Jha R/O of Vill. -
Basaha, P.S.- Bajpatti, District- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bajpatti P.S. Case No. 130/2023 dated 21.04.2023 registered for the offence punishable u/s 366A and 504 read with 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The victim in her statement recorded u/s 164 of the



Cr.P.C has stated that no one has kidnapped her and she called her husband by her mobile phone and went with him and she has further submitted that her father wanted her to get married at another place against her wish which was protested by her. Learned counsel has further submitted that there is nothing on record which shows that the victim is forced to have intercourse with another person. The petitioner is accused in 14 other criminal cases and he is on bail in all the cases except one case as stated in para 3 of the bail petition. The petitioner is in custody since 16.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the victim is a minor girl.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with Bajpatti P.S. Case No. 130/2023, with the condition :-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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