

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47930 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- BUNIYAD GANJ District- Gaya

RAJA BABU @ SANJIT KUMAR @ SANJEET KUMAR SON OF
SATYENDRA YADAV RESIDENT OF VILLAGE - NAUDHARIYA, P.S. -
BUNIYADGANJ, DISTRICT - GAYA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. AYODHYA THAKUR SON OF RAMCHANDRA THAKUR RESIDENT
OF VILLAGE - NAUGHARIYA, P.S. - BUNIYADGANJ, DISTRICT -
GAYA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Durgesh Nandan, Advocate
For the Opposite Party/s	:	Mr. Sucheta Yadav, APP
For the Informant	:	None

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

ORAL ORDER

3 21-09-2024 Heard learned counsel for the petitioner, learned APP

for the State and perused the case diary. None appears on behalf

of the informant.

2. The petitioner seeks bail in connection with

Buniyadganj P.S. Case No. 55 of 2024 instituted for the offences

under Sections 366A of the Indian Penal Code.

3. Prosecution case, in short, is that, this petitioner

kidnapped the informant's daughter with intention to marry her.

4. Learned counsel for the petitioner submitted that the

petitioner has falsely been implicated in the present case.

Learned counsel further submitted that there is a delay of four



days in lodging the FIR without plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel referring to paragraph no. 8 of the present petition submitted that victim, in her statement recorded under Section 164 of the Cr.P.C., has herself stated that she was in love with this petitioner and on the alleged date, she fled along with this petitioner on her own free will and married with the petitioner. Learned counsel referring to medical report further contended that there is no evidence of recent sexual intercourse. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.03.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, and the statement of the victim recorded under Section 164 of the Cr.P.C. as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail 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 Buniyadganj P.S.



Case No. 55 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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