

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 64290 of 2024

Arising Out of PS. Case No.-64 Year-2020 Thana- BYPASS District- Patna

=====

DIPAK @ DIPAK KUMAR @ RAHUL Son of Rameshwar Chaudhary
Resident of Village - Pratappur, Pasi Tola, P.S.- Mehandiganj, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shankar Paswan Son of Harinandan Paswan Resident of Marcha, P.S.- Bye Pass, District - Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shovendra Kumar, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Section
366A of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that his minor daughter on 22.02.2020 at 9.00
am went to her college but did not return, further on search
victim was not found, next alleges that he received a call from
mobile No. 7050087990 and his daughter informed that
petitioner has brought her on pretext of marriage but she does



not know the name of the place where she is kept.

4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant. It is further submitted that the victim and the elder brother of the informant was in love and they eloped and even got married and out of the wedlock a child was born. It is next submitted that if the victim was kidnapped she would not have been allowed to make a call on the mobile of her father. It has also submitted that though in the FIR it is alleged that the victim is aged about 17 years and one month but then the victim is a major. It is next submitted that the date of occurrence is 22.02.2020 but the FIR came to be instituted on 27.02.2020 i.e., after a delay of five days which also casts an aspersion on the case of the prosecution.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is



pending in connection with Bypass P. S. Case No.64 of 2020
subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash/-

U			
---	--	--	--

