

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78232 of 2024

Arising Out of PS. Case No.-85 Year-2022 Thana- AAJAM NAGAR District- Katihar

Lalo Sah @ Bijay Bahadur Son of Tarni Sah R/O Vill. and P.O.- Sahsaal, P.S.-
Basnahi, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Ravi Shankar, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 366/34 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including the petitioner are said to have kidnapped the wife of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and



based on concocted facts. The victim herself disclosed that she left her house of Alampur with her own sweet will. There is inordinate and abnormal delay of about seven days in filing the present case without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. It is further submitted that the statement of the victim has been recorded under Section 161 of Cr.P.C. as well as Section 164 of Cr.P.C. and in both the statements, she has not supported the prosecution case. Learned counsel further submits that nothing specific has been attributed against this petitioner and he has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the statement of the victim recorded under Section 164 Cr.P.C., let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Azam Nagar P.S. Case No. 85 of



2022, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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