

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72948 of 2023

Arising Out of PS. Case No.-47 Year-2016 Thana- MASHRAK District- Saran

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Kameshwar Thakur Son of Late Ramasis Thakur Resident of Village-
Dhobawal Ps- Panapur Distt- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr.Shaheen Begum, APP

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

ORAL ORDER

4 15-03-2024 Heard learned counsel for the petitioner and learned
APP for the State as also perused the case diary.

2. The petitioner seeks bail in connection with
Mashrakh P.S. Case No. 47 of 2016 instituted for the offences
under Sections 363(A), 364 of the Indian Penal Code.

3. The accusation against the petitioner is of taking
away the son of the Informant to Delhi and, thereafter, the son
of the Informant never returned.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The charge-sheet has already been submitted in this case
showing the victim traceless. He has further submitted that both



the parties have also filed compromise petition in the court below and except the statement of the Informant and other interested persons, there is nothing on record against the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 27.07.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that the victim is still traceless and several witnesses including wife and father of the victim have supported the case of the prosecution and, thus, the petitioner does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account that there is direct allegation against the petitioner and also considering the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected.

(Rudra Prakash Mishra, J)

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