

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85142 of 2023

Arising Out of PS. Case No.-188 Year-2019 Thana- JHANJHARPUR District- Madhubani

NARESH KUMAR THAKUR S/O BAHADUR THAKUR R/O VILLAGE-
CHANAURA GANJ, P.S- JHANJHARPUR, DISTRICT- MADHUBANI
(BIHAR).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Bharti, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 09-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Jhanjharpur P.S. Case no.188 of 2019 registered under section 366A of the Indian Penal Code.

3. As per the prosecution case, the informant states that his daughter was kidnapped by unknown accused persons with wrong intentions. It is further stated that his daughter was on talking terms with a person having the mobile number as stated in the FIR.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. He was falsely implicated in the case in course of investigation as the mobile number mentioned by the informant in the FIR was registered in his



name. It is submitted that the daughter of the informant is a major. She went with the petitioner out of her own free will, the petitioner is in custody since 27.9.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P for the State. It is submitted that as per paragraph no.122 of the case diary, the daughter of the informant refused to get herself medically examined. In her statement under section 164 Cr.P.C. it is stated that she went with the petitioner out of her own freewill, married him and they have been living as husband and wife for the last several years. She has also given birth to a child out of the said marriage.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, the statement of daughter of the informant under section 164 Cr.P.C, the petitioner having remained in custody for about 6 months since 27.9.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Jhanjharpur P.S. Case no.188 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned



Additional Chief Judicial Magistrate-I, Jhanjharpur, District-
Madhubani.

(Partha Sarthy, J)

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