

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.610 of 2024

Arising Out of PS. Case No.-216 Year-2018 Thana- KASBA District- Purnia

Sanjeev Kumar @ Sanjiv Kumar Son Of Parmashwar Bin @ Jitan Bind
Resident Of Fulwaria, P.S. - Kasba, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Fazle Karim, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with S.Tr. no. 514 of 2023
arising out of Kasba P.S. Case no. 216 of 2018 registered under
sections 363 and 366A of the Indian Penal Code.

3. As per the prosecution case, the informant states
that his minor daughter was kidnapped by the accused persons
named in the F.I.R. All the accused were found missing from
their home.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case due to village
politics. Though the petitioner was not named in the F.I.R, his



name surfaced in the statement of the victim under section 164 Cr.P.C according to which the petitioner allegedly participated in her kidnapping. The victim has not alleged any overt act against this petitioner. It was a case of love affair between co-accused Gautam Kumar and the victim. The petitioner is in custody since 19.4.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 7.2.2024 of the learned Additional District and Sessions Judge-Xth, Purnea the case is at this stage of framing of charge.

7. Having heard learned counsel for the parties and taking into consideration the material on record, the allegations in the F.I.R, the material that has transpired in course of investigation including the statement of the victim under section 164 Cr.P.C wherein she makes direct allegation against the petitioner and one another of having kidnapped her and kept her confined for seven days, the petitioner being a minor, her age having been assessed in the medical examination to be between 16-17 years and in an F.I.R registered on 15.8.2018, the



petitioner having absconded till he was taken into custody only
on 19.4.2023, the Court is not inclined to enlarge the petitioner
on bail and the application is rejected.

(Partha Sarthy, J)

Harsh/-

U		T	
---	--	---	--

