

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.1283 of 2024

Arising Out of PS. Case No.-203 Year-2023 Thana- HATHAURI District- Muzaffarpur

Dharmendra Singh S/O Late Nawal Kishore Singh R/O Village-Amma, P.S-
Bahera, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 21-03-2024 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 Hathauri P.S. Case no.
203 of 2023 registered under sections 363 and 366 of the Indian
Penal Code.

3. As per the prosecution case, the informant states
that her daughter disappeared. She was not to be found inspite
of search. The informant suspected that Sita Devi and Surendra
Prasad Sahi besides others including Aditya Shahi have a hand
in her disappearance.

4. Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. The petitioner was falsely
implicated in the case in course of investigation. The daughter
of the informant returned and her statement was recorded under
section 164 Cr.P.C wherein also she has mainly made
allegations against Aditya Shahi though naming the petitioner



therein. No role has been assigned to the petitioner. The petitioner is in custody since 12.10.2023 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State who submits that so far as the petitioner is concerned, he happens to be the uncle of the F.I.R named accused Adity Shahi and it has transpired in course of investigation that the petitioner was involved in sending informant's daughter to his son's place at Surat. Even the victim has named this petitioner as having a hand in her kidnapping.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the material that has transpired in course of investigation and the contents of her statement under section 164 Cr.P.C, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail after completing one year in custody or on framing of charge, whichever is earlier.

(Partha Sarthy, J)

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