

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10519 of 2025

Arising Out of PS. Case No.-103 Year-2024 Thana- KUNDWACHAINPUR District- East
Champaran

Shankar Sah Son of Late Gopi Sah Resident of Village/ Mohalla - Bairiya,
P.S. - Kundwa Chainpur, District - East champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar
For the Opposite Party/s : Mrs. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 09-05-2025 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 Kundwa Chainpur P.S. Case No. 103 of 2024 registered for the offences punishable under Sections 363, 366(A) and 34 of the Indian Penal Code.

3. As per the prosecution story, the informant has alleged that on 12.06.2024, at about 08:00 PM, his minor daughter/victim girl aged about 16 years had gone outside from the house, then accused Ajit Kumar, Shankar Sah, and Rambha Devi forcibly kidnapped her. On her cry, the informant came out and saw that all the accused persons were taking away her daughter by a four wheeler vehicle. On 10.07.2024, accused



persons refused to return his daughter and threatened that the marriage of her daughter would be solemnized with Ajit Kumar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has not committed such type of offence as alleged in the F.I.R. The allegation against the petitioner is that he helped Ajit Kumar in kidnapping of the minor daughter of the informant who is aged about 16 years. Petitioner is aged about 63 years and it is not believable that he would involved in the occurrence of kidnapping. The victim girl surrendered herself before Dy. S.P. Sikrahna at Dhaka who handed over the victim to the concerned police station i.e. Kundwa Chainpur and thereafter, her statement under Section 180 and 183 of BNS has been recorded. The victim was not ready for medical examination. The petitioner is languishing in jail since 29.08.2024.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. The statement of the victim has been recorded under Section 183 of BNS and the copy of the same is attached with the case diary. From perusal of the aforesaid statement, it appears that the victim girl has solemnized marriage with the son of the petitioner. She has not stated anything against the



petitioner – Shankar Sah who is father of Ajit Kumar. She has stated that no one has abducted her rather she herself fled away from her house and solemnized marriage with Ajit Kumar and she wants to live in her in law's house.

7. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sikrahana at Dhaka, East Champaran in connection with Kundwa Chainpur P.S. Case No. 103 of 2024 subject to the following conditions :-

(i). Petitioner will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

8. During the course of argument, learned counsel for the informant submits that the victim girl is still traceless and the same is also mentioned in para 46 of the case diary.

9. As it is submitted by the learned counsel for the petitioner that petitioner's son had married to the victim girl. In such circumstances, I.O. of this case is directed to produce the victim girl as well as petitioner on the next date of hearing.



10. Accordingly, put up this case under the heading
‘To Be Mentioned’ on 27.06.2025.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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