

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66978 of 2024

Arising Out of PS. Case No.-275 Year-2024 Thana- KARAKAT District- Rohtas

Rajesh Kumar @ Rajesh Ram S/O Ram Nath Ram Resident of Village-
Chikshil Bal, P.S- Karakat, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhouri Vipin Bihari Shrivastava, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 10-04-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363, 365 and 34 of the Indian Penal Code.

3. The prosecution case as stated by the informant in the F.I.R. instituted by him on 22.05.2024 would disclose that one year back, three persons had come to him and had said that the son of the informant and others would be given the work of labour in a factory. It is stated that one of them was related to the present petitioner and upon asking, the petitioner had also told them that they could send their son and others along with these persons for the purposes of job. It has been further alleged that nine persons were taken away by these persons on such



pretext and after one year, they did not return and hence a case of kidnapping was filed by way of the present F.I.R.

4. Learned counsel for the petitioner submits that the petitioner is not one of the persons who had allegedly taken away the boys for work and his name has only been added as he happened to be relative of one of the accused persons named in the F.I.R. It is though submitted that the boys had returned back home on 04.06.2024.

5. The prayer for bail has been opposed by the learned APP for the State who has also pointed out the fact that the statement of the victims had been recorded under Section 164 of the Cr.P.C. during the course of investigation. It would appear from the 164 statement of the victims that the accused persons had taken the victims to work in a factory at Tamil Nadu and the further allegation made by these victims are that they were confined in the factory and were made to work and were not given enough food to eat. The victims had further stated that when they came to know about the present case, they fled away from the factory.

6. After looking into the allegation in the F.I.R., it would appear that the petitioner was only one of the persons who had only stated upon enquiry that the victims could be sent



for job. Further, the 164 Cr.P.C. statement of the victims would also disclose that they were taken to a factory at Tamil Nadu and were engaged in work. However, the victims had complained that they were not being given proper treatment and food.

7. Taking into consideration all such allegations and also taking into consideration that the petitioner has no criminal antecedent, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bikramganj, District-Rohtas, in connection with Karakat P.S. Case No. 275 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

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