

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74814 of 2024

Arising Out of PS. Case No.-375 Year-2023 Thana- LALGANJ District- Vaishali

1. Santosh Raj @ Santosh Kumar Son of Jagannath Sah Resident of Village -Yusufpur, PS- Lalganj, Distt.- Vaishali at Hajipur
2. Satish Kumar @ Jhamlal @ Saprish Raj @ Gayanlal Son of Late Jagannath Sah Resident of Village -Yusufpur, PS- Lalganj, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha, Adv.

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 06-02-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Lalganj P.S. Case No. 375 of 2023 dated 28.10.2023 registered for the offences punishable u/ss 363 and 366A of the Indian Penal Code.

3. As per the prosecution case, on the alleged date of occurrence, the informant's minor daughter aged about 13 years went from the house to see the fair in Durga Puja Pandal near her house but she did not return. On inquiry, the informant came to know that the petitioner along with the co-accused persons and some unknown persons kidnapped his daughter



with wrong intention.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The name of the petitioner has surfaced in this case merely on suspicion. There is no specific allegation against the petitioner rather the specific allegation is only against the co-accused, Sachin Kumar. There is love affair between the victim and the co-accused, Sachin Kumar and the petitioner has no concern with the alleged offence. The victim in her statement recorded under Section 164 of the Cr.P.C. has denied to go with her parents. It is further submitted that there is nothing on record which shows that the victim was forced or seduced to have illicit intercourse with another person. The co-accused persons have already been granted regular bail by this court vide order dated 03.07.2024 passed in Cr. Misc. No. 41280 of 2024. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioners and submitted that the victim is a minor girl.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the



petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 375 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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

