

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79324 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- BAUNSI District- Banka

Santosh Kumar S/o- Ashok Yadav Resident Of Village- Pitangiya, Ps- Banka,
Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar
For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 14-02-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. The petitioner seeks regular bail in connection with Bounsi Police Station Case No. 144 of 2024, registered for the offence punishable under Sections 363/366/34 of the Indian Penal Code.
3. The prosecution case, as per the complaint -cum- First Information Report, is that the daughter of the informant was married to one Lalu Yadav about 11 years ago and she had two children. The con-in-law of the informant was unemployed and suddenly dispute arose between the husband and wife. On 19.04.2024, in the morning, when the daughter of the informant went to the market with her husband to buy clothes, she was kidnapped by the



petitioner and others on gun point.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has not committed any offence in the manner alleged. He further submits that the daughter of the informant was recovered and her statement, under Section 164 of the Code of Criminal Procedure, 1973, was recorded, in which she has stated that the accused persons, including the petitioner, caught her and took her to the house of cousin sister and from there the petitioner took her to Mumbai and from there, the victim anyhow returned to Banka. The victim has further stated that the petitioner used to assault her and also tried to tease her. Learned Counsel further submits that the victim and her mother has refused for medical examination of the victim. Learned Counsel further submits that co-accused persons, namely, Anju Devi, Ashok Yadav and Chhotu Kumar, has been granted anticipatory bail by this Court, vide order, dated 27.04.2025, passed in Criminal Misc. No. 89711 of 2024. He next submits that petitioner is in custody since 05.07.2024, and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner



will abscond and/or tamper with the evidence.

5. Regards being had to the submissions made by the parties and taking into consideration the materials available on record, including the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure, 1973 and the fact that the petitioner is in custody since 05.07.2024, charge-sheet has already been submitted, co-accused persons have been granted anticipatory bail by this court, I am inclined to grant regular bail to the petitioner.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Bounsi Police Station Case No. 144 of 2024.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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