

Dhananjay Kumar @ Dhananjay Sah @ ... vs The State Of Bihar on 4 February, 2025

Author: Ashok Kumar Pandey

Bench: Ashok Kumar Pandey

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72745 of 2024
Arising Out of PS. Case No.-457 Year-2024 Thana- MAJHAULIA District- We

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Dhananjay Kumar @ Dhananjay Sah @ Dhananjay Kumar Sah @ Dhananjay
Son of Sukhal Sah R/O-Village- Barwa Semra Ward No. 07, Police station-
Majhauiliya, District- West Champaran

Versus

1. The State of Bihar
2. Vijay Ram Son of Bachchan Ram Resident of Village- Barwa Ward No. 07,
P.S.- Majhauiliya, Distt.- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Brij Kishor Mishra, Advocate
		Mr. Bashishtha Narayan Mishra, Advocate
For the Opposite Party/s	:	Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 04-02-2025

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 137(2), 96, 303(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023, sections 4 and 8 of the POCSO Act and Sections 3 (2) (v) of the SC/ST Act.

3. The case of the prosecution is that Dhananjay Sah (petitioner) along with his three associates kidnapped the minor daughter of the informant. It is further alleged that the daughter of the informant has taken rs. 1 lakh cash and her documents.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has Patna High Court CR. MISC. No.72745 of 2024(5) dt.04-02-2025 falsely been implicated in this case. During the course of investigation, victim has recovered and she has given her statement recorded under sections 183 and 181 of the B.N.S.S. Act wherein she has stated that

she was on talking terms with this petitioner. On 18.07.2024, he arrived at the house of the victim and took her to Pakri there he stated that wait I am coming. When he did not return for a considerable moment, the victim called her but his mobile was switched off. After that, she did not return to her house due to fear. She boarded on a bus and went to Sarishwa. Police apprehended her and brought to her house. From perusal of the statement of the victim it transpires that the only role of the petitioner is that he has taken her out of the house but after that victim herself has gone. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 20.07.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Patna High Court CR. MISC. No.72745 of 2024(5) dt.04-02-2025 Majhauriya P.S. Case No. 457 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum Special Judge-POCSO, Bettiah, West Champaran.

(Ashok Kumar Pandey, J) subham/-

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