

Jakir @ Zakir Vasta vs The State Of Bihar on 20 November, 2024

Author: Chandra Prakash Singh

Bench: Chandra Prakash Singh

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66370 of 2024
Arising Out of PS. Case No.-15 Year-2023 Thana- BARGAINIA District-
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Jakir @ Zakir Vasta Son of Zabir Vasta Resident of Village - Chakwa, Wa
No.4, P.S. - Baiganiya, District - Sitamarhi

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Versus

The State of Bihar Opposite Pa

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Appearance :

For the Petitioner/s : Mr.Dwij Raj

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH

ORAL ORDER

2 20-11-2024

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bairgania P.S Case No. 15 of 2023 dated 18.01.2023 registered for the offence punishable u/s 363, 364, 366(A), 372 and 506/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is innocent and has committed no offence as alleged. The informant and the petitioner are close relatives. It is further submitted that the statement of the victim, recorded u/s 164 of the Cr.P.C. has not supported the prosecution case, in which she Patna High Court CR. MISC. No.66370 of 2024(2) dt.20-11-2024 stated that no one had kidnapped her. Similar situated co-accused persons have already been granted bail by this Court vide order dated 14.12.2023 passed in Cr. Misc. No. 60534 of 2023. There is a delay of 24 days in lodging the F.I.R. and there is no plausible explanation for the same. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his 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 the learned A.D.J.-VI (POCSO Act), Sitamarhi in connection with Bairgania P.S. Case No. 15 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J) Jyoti/-

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