

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51971 of 2015

Arising Out of PS.Case No. -343 Year- 2015 Thana -DARBHANGA SADAR District-
DARBHANGA

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1. Ajay Das son of Chandeshwar Das, resident of village- Bariaul, P.S.-
Kamtaul, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Karn

For the Opposite Party/s : Mr. Ajay Kumar-I(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 15-12-2015 Heard Mr. Abhay Kumar Singh for the petitioner and Mr.
M. Dayal, APP for the State.

Petitioner is facing accusations along with two others in
Sadar P.S. Case No. 343 of 2015 registered under sections 363 and
366(A) of the Indian Penal Code.

According to the F.I.R. lodged by the father, the girl had
escaped the home in the night of 18.7.2015. F.I.R. was lodged on
20.7.2015 suspecting the hands of the petitioner and other two
named in the F.I.R. The statement of the victim was recorded
under Section 164 Cr.P.C. on 24.7.2015 wherein she has alleged
that she was simply taken away from the home by the accused
person and accused Jai Ram was putting pressure on her to marry.
She has disclosed herself as a married lady aged about 20 years. It
has been stated that the allegation of forcibly kidnapping the girl is

contradicted if the same is read in the light of the F.I.R. Therefore, Section 366(A) IPC shall not be applicable. A compromise has been entered between the parties. The two other co-accused persons have recently been released on bail by the learned Court below in B.P. No. 1037 of 2015.

Considering the submissions, I direct release of the petitioner 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, Darbhanga in Sadar P.S. Case No. 343 of 2015 subject to the following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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