

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17382 of 2015**

Arising Out of PS.Case No. -172 Year- 2013 Thana -ROSERA District- SAMASTIPUR

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Rahul Kumar Giri @ Rahul Giri S/o Anil Kr Giri R/o Village Madhodih,  
P.S. Ujiyarpur, District Samastipur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mrs. Rina Sinha, Adv

For the Opposite Party/s : Mr. P.N.Pandit(App)

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

3      25-06-2015      Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-364, 366A and 120B of the Indian Penal Code and that the victim girl is said to be still missing for a period of now almost two years, the date of occurrence being 29.07.2013 and that the allegation against the petitioner is that he along with Ajay Kumar Giri, Vivek Kumar, Munna Giri and Rahul Kumar Giri, as well as two other unknown persons had taken away the victim girl namely, Rupam Laxmi @ Lakho by Bolero for the



purposes of getting her forcibly married, this Court keeping in view the co-accused Ajay Kumar Giri and co-accused Munna Giri have been only granted privilege of regular bail, would direct the petitioner namely, Rahul Kumar Giri to also surrender and if it is found by the Court below that the case of the petitioner claiming to have no criminal antecedent is on identical footing as that of co-accused Ajay Kumar Giri and co accused Munna Giri, he shall, subject to his written undertaking of appearing before the police for being interrogated and helping the police in tracing the missing girl namely, Rupam Laxmi should be granted bail, if he surrenders within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of **A.C.J.M. Rosera, Samastipur** in connection with **Rosera P.S. Case No. 172 of 2013**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-



(i) That the court below shall make verification of criminal antecedent of the petitioner and if it is found that he is accused in any other criminal case, he shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(iii) That the bailor shall also state on affidavit that they will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That the petitioner will give an

undertaking that he will receive the police papers on the given date and be present on the date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(v) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

Ranjan/-  

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**(Mihir Kumar Jha, J)**