

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49856 of 2014

Arising Out of PS.Case No. -68 Year- 2013 Thana -SUGAULI District- EAST CHAMPARAN
(MOTIHARI)

=====

1. Sanjay Raut S/o Langtu Raut R/o Koraiya, P.S. Sugauli, District - East
Champaran (Motihari).

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vijay Kumar

For the Opposite Party : Mr. M. Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 29-06-2015 Heard both sides.

The married daughter having children of the informant is said to have been kidnapped by the petitioner. The petitioner is, accordingly facing prosecution under Sections 366 and 379 of the IPC vide Sugauli P.S. case no. 68 of 2013.

Contention of the petitioner is that earlier to this the informant had lodged similar case against the petitioner in respect of her daughter under Section 366 of the IPC. Some what with similar/identical allegation vide Sugauli P.S. caseno. 225 of 2012 on 6.9.2012 in which the police after investigation did not send him up for trial as the case was false. Such final form (Annexure-2) at page no.28 of the brief submitted on 31.12.2012. A week

thereafter the present allegation has been levelled. On the previous case the daughter of the informant appeared and made statement under Section 164 of the Cr.P.C. in which she did not name the petitioner. Repeat allegation of the similar nature smack of ulterior motive of the informant. The petitioner is willing to cooperate in the investigation.

In the facts and circumstances of the case, let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, East Champaran Motihari in connection with Sugauli P.S. case no. 68 of 2013, (G.R. No. 9066 of 2013) subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the



trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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