

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46700 of 2015

Arising Out of PS.Case No. -36 Year- 2015 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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Sonu Kumar, son of late Surendra Rai @ Solindra Rai, Resident of Village-
Fular, P.S. Mahua, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nilesh Kumar

For the Opposite Party : Mr. Dashrath Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 16-02-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Rajepur
P.S. Case No. 36 of 2015, registered under Section 363,
366(A)/34 of the Indian Penal Code.

The prosecution case is that Rehana Khatoon, aged
about 16 years, daughter of the informant Md. Hatim Mian was
missing to the village in the evening of 26.03.2015 and the
informant raised suspicion against Kaviraj Bharti and Viresh
Kumar in the kidnapping of his daughter saying that his daughter
used to talk to Kaviraj Bharti on the pretext of treatment.

Learned counsel appearing on behalf of the petitioner



submits that petitioner is not named in the F.I.R. and in course of investigation the victim was recovered and her statement under Section 164 of Cr.P.C. was recorded in which she has stated about her taking away by the petitioner and other two named accused at the house of Kaviraj Bharti from where she was taken to the house of petitioner, where the mother of the petitioner kept the victim from where she was sent to myka of the mother of the petitioner from where she has been recovered by the Police. The victim has not stated anything about ill treatment and committing of rape by this petitioner or any other. Further submission is that Police has already submitted Chargesheet in this case and petitioner has no criminal antecedent and he is in custody since 10.04.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Sikarhana at Motihari in connection with Rajepur P.S. Case No. 36 of 2015. Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner and further the petitioner shall remain present on each

and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

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