

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54529 of 2017

Arising Out of PS.Case No. -44 Year- 2017 Thana -MANSURCHAK District- BEGUSARAI

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1. Birendra Kumar Rai Son of Ram Nath Rai Resident of village-
Makdampur Tarachowk, P.S.- Mansoorchak, District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Sri Upendra Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody
since 25.07.2017 in connection with Mansoorchak P.S. Case No.
44 of 2017 for offences punishable under Sections 363, 366(A)/34
of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter Amrita Kumari became traceless from the house.
It is alleged that the petitioner along with other family members
have taken away his daughter for the purpose of marriage.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and just
because he is the father of the said Roshan Kumar, he has been
falsely implicated in this case. He submits that the victim girl



under her statement under Section 164 Cr.P.C has not alleged any overt act being done by the petitioner and that Roshan Kumar, son of the petitioner, is already in custody. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Begusarai, in connection with Mansoorchak P.S. Case No. 44 of 2017 subject to the condition that one of the bailors would be a close relative of the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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