

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27273 of 2017

Arising Out of PS.Case No. -16 Year- 2009 Thana -PAROO District- MUZAFFARPUR

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1. Rajesh Bhagat, son of Mahendra Bhagat, resident of Village- Thengpur,
Police Station- Paroo, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey

For the Opposite Party/s : Mr. Sri Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-07-2017 The petitioner seeks regular bail in connection with Paroo

P.S. Case No. 16 of 2009, registered for offences punishable under

Section 366A of the Indian Penal Code.

Allegation against the petitioner and other accused
persons is of kidnapping girl of the informant.

It has been submitted on behalf of the petitioner that the
girl has been recovered and her statement under Section 164
Cr.P.C was recorded, in which she has stated that the petitioner
has only assisted other accused persons in the said offence and the
main allegation has been levelled against other accused persons.
Her statement under Section 164 Cr.P.C. further shows that she
remained with those accused persons for so many days and she did
not try or make *hulla* to get free from their clutches, which itself



shows the falsity of the entire prosecution case.

Learned counsel for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that the girl was minor and this petitioner was also involved in her kidnapping.

Having heard both sides, considering the facts and circumstances of the case and also the main allegation is against other co-accused of this case, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, West Muzaffarpur, in connection with Paroo P.S. Case No. 16 of 2009, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event



of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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