

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10685 of 2017

Arising Out of PS.Case No. -977 Year- 2016 Thana -BIHTA District- PATNA

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1. Rakesh Kumar Giri @ Aryan Kumar son of late Lalan Giri Resident of Village Srirampur Tola, Police Station Bihta, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Kant Kumar

For the Opposite Party/s : Mr. Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-04-2017 Heard the parties.

This application has been filed in connection with Bihta P.S. Case No.977 of 2016 for the offence under Sections 363 and 366A of the Indian Penal Code.

It is submitted on behalf of the petitioner that he has been falsely implicated in this case as he is a handicapped person and there was love affair between the petitioner and the daughter of the informant. They, after their marriage, were residing in a rented house, which will appear from the statement of the land-lord of the house, who has stated before the police that they were residing as renter in his house, however after the recovery of the girl on the pressure of the family members, she has made statement under Section 164 Cr.P.C. but the said statement is false and concocted,



which will appear from the fact that the petitioner is 45 % disable but it has been alleged that the Bicycle of the girl was thrown by him and she was forcibly kidnapped. The petitioner is in custody since 14.01.2017.

Heard learned A.P.P. also, who has opposed the prayer for bail.

Having heard both sides and perused the records and also in view of submissions of the learned counsel for the petitioner, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M., Danapur District Patna in connection with Bihta P.S.Case No.977 of 2016.

With 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 co-operate 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 is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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