

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72721 of 2018

Arising Out of PS. Case No.-140 Year-2018 Thana- SARAI District- Vaishali

Rajan Kumar, Son of Motilal Mahto, Resident of Village Akbar Malahi, P.S.-
Sarai, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar
For the Opposite Party/s : Mr. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Sarai P.S. Case No.140 of
2018 registered for the offence punishable under Sections 363,
366(A)/34 of the Indian Penal Code.

Informant is brother of the victim who has stated that
his sister on 12.07.2018 at about 4 p.m. had gone outside to
attend the call of nature fromwhere Aman Kumar and Rajan
Kumar forcibly took her on motorcycle and fled away.
Thereafter, the informant approached the brother, father and
other family members of Aman Kumar but they misbehaved
with him and did not disclose the whereabouts of his sister.
Allegation against the petitioner is that he was also one of the
co-accused in forcibly taking away the victim.

It has been submitted on behalf of the petitioner that



he has falsely been implicated in this case only on the basis of suspicion although he has no role in such incident. It has further been submitted that brother, father and mother of said Aman Kumar have been granted regular bail by the court below.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- XIII, Vaishali at Hajipur in connection with Sarai P.S. Case No.140 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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