

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4356 of 2018

Arising Out of PS. Case No.-789 Year-2017 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Ved Prakash S/o Kanhaiya Lal, R/o Village- Khajuri (Chira), P.S.- Tikait
Nagar, District- Barabanki, State- Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nalin Kumar, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 20-02-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
31.10.2017 in connection with Town P.S. Case No. 789 of 2017,
G.R. No. 5008 of 2017 registered for the offence punishable
under Sections 366 and 120(B)/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that her daughter had come to her parental house from Delhi and
while she was alone, the petitioner along with other persons
named in the First Information Report has kidnapped her
daughter along with jewellery of Rs. 1,50,000/- and cash of Rs.
2,00,000/-.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and was driver of the informant. He submits that the victim girl in her statement under Section 164 of the Cr.P.C. has not alleged any overt act against the petitioner. Victim lady is a married woman of 26 years of age and there are contradictions regarding the place of recovery of the victim lady, as he has enclosed Annexure-3 stating therein that the victim lady was recovered from near the railway station with ornaments and mobile, but from the case diary, it appears that she was recovered from the house of the petitioner. He submits that charge-sheet has already been submitted.

However, learned counsel for the informant opposes the prayer for bail stating therein that the victim lady has been kidnapped by the petitioner and jewellery and cash are missing. Learned A.P.P. for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on completion of six months in custody on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Town P.S. Case No. 789 of 2017, G.R. No. 5008 of 2017, subject to



the conditions that:

(1) Both the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating their relationship with the petitioner.

(2) The petitioner will appear before the learned Court below on each and every date 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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