

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13273 of 2019

Arising Out of PS. Case No.-878 Year-2016 Thana- SAHARSA District- Saharsa

Jyoti Kumar, aged about 34 years, (M) son of Narayan Gupta resident of village Hatbaria P.S.- Pipra District- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Satyavrat Verma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 06-03-2019 Heard learned counsel for the parties.

Let the Defect(s) as pointed out by the office be ignored for the present.

Petitioner seeks bail in **Saharsa Sadar P.S. Case No. 878 of 2016** registered for the offence punishable under Sections 363, 366-A, 366 and 34 of the Indian Penal Code.

Informant is the mother of victim who has stated in her complaint case instituted in the court of CJM, which was subsequently referred to police giving rise to Saharsa Sadar P.S. Case No. 878 of 2016 in which she has alleged that on 08.09.2016 her daughter had gone to meet Dr. Sunita Thakur at Barahser in Saharsa for check up but thereafter she did not return and when she and other family members went to search her they came to know that accused nos.1,2, 3, 4 and 5 have kidnapped her for the purpose of marriage, killing or for



immoral purpose.

It has been submitted on behalf of the petitioner that allegations are false and concocted and the victim girl had return herself and was not recovered from the possession of petitioner. It has been further submitted that previously also with similar allegations FIR was instituted in which she in her statement made under Section 164 of the Cr.P.C. had denied the involvement of petitioner or her forcibly abduction. She had also filed a case in Punjab against her father and husband for committing torture on her.

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-IV at Saharsa**, in connection with **Saharsa Sadar P.S. Case No. 878 of 2016**, 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)

manoj/-

U		T	
---	--	---	--

