

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4192 of 2019

Arising Out of PS. Case No.-22 Year-2018 Thana- BADHAILA District- Rohtas

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AKHILESH PRASAD GUPTA Nathuni Prasad Gupta Resident of Village-
Kujhi, P.S.- Baghaila, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Shankar Upadhyay

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 01-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Baghaila P.S. Case No. 22 of 2018 registered
for the offence punishable under Sections 363, 365 of the Indian
Penal Code.

Informant is the father of victim girl, who has stated
in his written complaint that on 12.03.2018 his daughter had
gone to attend the school but till evening did not return and even
after much search she could not be located and also not received
call on her mobile.

It has been submitted on behalf of the petitioner that
petitioner is not named in the FIR. His name has surfaced in this



case during course of investigation on the basis of restatement of informant which is recorded in para 36 of the case diary. It has been further submitted that the girl was recovered and her statement was recorded u/s 164 of Cr.P.C. and she has stated that she her own volition and sweet will had gone with accused Raj Kumar and she wants to marry him. Petitioner is father of said accused. Petitioner has no criminal antecedent and he is in custody since 29.08.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Rohtas, Sasaram, in connection with Baghaila P.S. Case No. 22 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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)

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