

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16364 of 2019

Arising Out of PS. Case No.-280 Year-2017 Thana- BAJPATTI District- Sitamarhi

Nathuni Rai, S/o Ashesar Rai, Resident of Village- Nimahi, P.S.- Bajpatti,
District - Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Virendra Kumar, Advocate

For the Opposite Party : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 21-05-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Bajpatti
P.S. Case No.280 of 2017 registered under Sections 363 and
366A read with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that all the family members of the petitioner have
been made accused in the case merely because the daughter of
the informant was having affair with the brother of the petitioner
Dhanraj Kumar and she eloped with him. In course of
investigation and supervision also, this fact has transpired.

Learned counsel for the State has opposed the
application for grant of bail to the petitioner. However, he



concedes that in the case diary the supervising officer in para 20 of the case diary has opined that the alleged victim was having affair with her neighbour Dhanraj Kumar, the brother of the petitioner and she eloped with him on 29.09.2017 in the night and when a complaint was made to the family members, they initially promised that they will try to persuade Dhanraj Kumar to come back along with daughter of the informant, but when the promise was not fulfilled, the instant case was registered on 07.10.2017.

Considering the facts and circumstances of the case, the petitioner, who is in custody since 15.10.2018, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with two sureties of the like amount each to the satisfaction of S.D.J.M., Pupari, Sitamarhi in connection with Bajpatti P.S. Case No.280 of 2017, subject to the following conditions:-

- (a) that the petitioner shall attend court in accordance with the conditions of the bond executed;
- (b) that the petitioner shall not commit an offence similar to the offence of the present case; and
- (c) that the petitioner shall not directly or indirectly



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J.)

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