

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16842 of 2019**

Arising Out of PS. Case No.-25 Year-2019 Thana- DIGHA District- Patna
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Jitendar Kumar @ Jitendra Kumar @ Munna Rai aged 40 years, male, S/o
Mauzi Rai, Resident of Mohalla- Bans Kothi, Gate no.95, P.S- Digha,
District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party
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Appearance :

For the Petitioner : Mr. Dhananjay Kumar Tiwary, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 363 of the Indian Penal Code registered in
connection with Digha P.S. Case No. 25 of 2019.

3. It is submitted that the petitioner has been falsely
implicated and in any event the thrust of accusation of taking the
informant's daughter away is upon co-accused Kundan Kumar.
The petitioner has been implicated merely because he happens to
be the father of the said Kundan Kumar. There is no specific
accusation against the petitioner of taking away the informant's
daughter. The F.I.R. has been instituted belatedly on 11.01.2019
for the alleged occurrence of 06.01.2019 after the victim girl has
returned with Kundan Kumar. In her statement recorded under
Section 164 Cr. P.C., the informant's daughter has not made any
specific accusation against the petitioner who claims clean
antecedents.

4. Be that as it may, in the event of the petitioner's



arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna in connection with Digba P.S. Case No. 25 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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