

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.896 of 2019

Arising Out of PS. Case No.-22 Year-2018 Thana- NTPC KHAIRA District- Aurangabad

Prakash Thakur @ Sanjiv Thakur @ Prakash Kumar @ Sanjiv Kumar Son of
Sharavan Thakur Resident of Village- Kanchanpur, P.S- Narari Kala Kurd ,
District- Aurangabad Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Sri Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 18-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **NTPC Khaira P.S. Case No. 22 of 2018** registered for the offence punishable under Sections 366A/34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the daughter of the Informant for the purpose of marriage.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that the girl was recovered and in her statement recorded under section 164 of the Cr.P.C has stated that she had solemnized marriage with petitioner and had gone with him willingly and on her own volition. Petitioner has got no criminal antecedent and is in custody since 07.09.2018.



Learned counsel for the Informant vehemently opposes the prayer for bail.

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 **Chief Judicial Magistrate, Aurangabad**, in connection with **NTPC Khaira P.S. Case No. 22 of 2018** , 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)

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