

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78296 of 2018

Arising Out of PS. Case No.-123 Year-2018 Thana- SIKARPUR District- West Champaran

Umesh Sah @ Umesh Kumar son of Sri Kameshwar Sah, resident of village-
Bargajwa, P.S. - Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Shikarpur P.S. Case No. 123 of 2018 registered for the offence punishable under Sections 363, 366/34 of the Indian Penal Code.

Allegation against the petitioner and other accused persons is to have kidnapped the daughter of the informant.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has further been submitted that the statement of victim girl was recorded under Section 164 Cr.P.C., in which she has stated that she herself took Umesh Sah (petitioner) to Pokhra, Nepal, where they tied themselves in wedlock as her family members wanted to marry her with an old person. Petitioner has no criminal antecedent and he is in custody since 06.08.2018.



Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

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, West Champaran, Bettiah in connection with Shikarpur P.S. Case No. 123 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)

Sanjay/-

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