

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37243 of 2019**

Arising Out of PS. Case No.-259 Year-2017 Thana- SHRIKRISHNAPURI District- Patna

Arun Kumar, aged about 37 years, Gender-Male, Son of Sri Jawahar Lal Roy,  
Residing in House No.321, Ward No. 24, Kurdheli Road, Farbesganj, P.S.-  
Farbesganj, District - Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                        |   |                                                                  |
|------------------------|---|------------------------------------------------------------------|
| For the Petitioner     | : | Mr. Rama Kant Sharma, Sr. Advocate<br>Mr. Amresh Kumar, Advocate |
| For the Opposite Party | : | Mr. Jitendra Kumar Singh, APP                                    |

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      05-07-2019                      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 and 366/34 of the Indian Penal Code registered in connection with S.K. Puri P.S. Case No. 259 of 2017.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be brother of the co-accused Sanjay Kumar with whom the so-called victim girl had eloped. It is submitted that it was not a case of kidnapping rather there was love affairs between the victim girl and the petitioner's brother Sanjay Kumar, the latter as well as his father Jawahar Lal Roy having been granted regular bail by this Court vide orders dated 02.07.2019 and 16.01.2018 passed in Cr. Misc. No. 40624 of 2019 and Cr. Misc. No. 2203 of 2018, respectively and so also, Mundrika Devi, mother of the co-accused Sanjay Kumar, has been granted anticipatory bail by this Court vide order dated 15.01.2018 passed in Cr. Misc. No. 2693 of 2018. The petitioner is an accused in subsequent case of different nature in which he is on bail.



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 Mr. Praveen Kumar Singh, learned Additional Chief Judicial Magistrate-cum-Special Judge, C.B.I, I, Patna in connection with S.K. Puri P.S. Case No. 259 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with 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 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.

(iv) 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.

**(Vikash Jain, J)**

BT/-

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