

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55583 of 2019

Arising Out of PS. Case No.-138 Year-2018 Thana- PRATAPGANJ District- Supaul

KUNDAN KUMAR THAKUR Son of Parmanand Thakur Resident of
Village - Batran, Ward No.15, P.S.- Raghapur, Dist.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 20.05.2019 in connection with Pratapganj P.S. Case No. 138 of 2018 for the alleged offences under Sections 363 and 366-A/34 of the Indian Penal Code and Section 66(A) I.T.Act.

3. It is submitted that the petitioner has been falsely implicated on the accusation of having taken away the informant's minor daughter for the purpose of marriage. It is submitted that as a matter of fact there was love affair between the petitioner and the so-called victim and she had voluntarily accompanied the petitioner. However, under pressure from her parents, she has stated otherwise in her deposition under Section 164 Cr. P.C. The petitioner has already suffered more than six months in custody. The petitioner claims clean antecedents.

4. Learned APP opposes the bail petition, submitting that the victim has made direct allegation against the petitioner.

5. Having regard to the period of custody and the facts



and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Birpur, Supaul in connection with Pratapganj P.S. Case No. 138 of 2018, on the following 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 co-operate 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) 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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