

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74931 of 2019

Arising Out of PS. Case No.-46 Year-2019 Thana- MAHKAR District- Gaya

KUNAL KUMAR Son of Ashok Ram @ Dara Singh Resident of Village-
Gobdiha, Police Station -Mahkar and District-Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manish Kumar No2
For the Opposite Party/s	:	Mr.Uma Shankar Prasad Singh
For the informant	:	Mr. Arvind Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-12-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 363 and 366(A) of the Indian Penal Code.

Allegation against the petitioner is to have kidnapped the daughter of the informant while she went to attend the call of nature.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that both the petitioner and daughter of the informant were in love with each other and the girl went with the petitioner on her own sweet will and volition. Both the petitioner and victim girl were caught hold by the police on next day of occurrence while they were returning to house. Girl



has been found to be major by Medical Officer. No sign of sexual assault has been found.

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. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Mahkar P.S. Case No. 46 of 2019 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.

Sanjay/-

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(S. Kumar, J)

