

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1868 of 2020

Arising Out of PS. Case No.-262 Year-2017 Thana- JOKIHAT District- Araria

Upendra Kumar Singh Son of Late Lujai Singh Resident of Village -
Doriyare, P.S.- Bounsi, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and
learned A.P.P for the State.

The petitioner apprehends his arrest in **Jokihat P.S.**
Case No. 262 of 2017, registered for the offence punishable
under Sections 363, 366, 494 and 34 of the Indian Penal Code.

It is alleged that all the accused persons including
this petitioner kidnapped the daughter of informant.

It is submitted on behalf of petitioner that petitioner
has falsely been implicated in this case due to village politics.
The girl is major. The victim girl in her statement under Section
164 Cr.P.C has stated that she had gone to the house of her Nani
and while she was returning from there, the police brought her
to the court. The girl has not taken the name of this petitioner in
her statement under Section 164 Cr.P.C. Petitioner has got clean
antecedent.



In view of statement of the victim girl under Section 164 Cr.P.C, the petitioner above-named in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Araria** in connection with **Jokihat P.S. Case No. 262 of 2017**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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