

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17954 of 2020

Arising Out of PS. Case No.-353 Year-2019 Thana- BODHGAYA District- Gaya

AKASH @ AKASH GUPTA @ AKHILESH GUPTA S/o Krishan Murari
Resident of House No. 43, Shakti Nagar, Kacha Fatak, PS Model Town
Panipat (Haryana) PIN- 132103

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr.Umanath Mishra

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 05-06-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 363 and 365 of the Indian Penal Code.

Informant in his written complaint has alleged that on 04.08.2019 at about 3:00 pm her daughter went to purchase medicine but she did not return. On 28.08.2019 informant received a call from unknown mobile number who asked about his daughter but when he inquired the caller told that he was speaking from Dobhi, Gaya and started abusing and disconnected the call.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to



misunderstanding. In the statement recorded under Section 164 of Cr.P.C of the victim she has not levelled any allegation against petitioner rather she has stated that petitioner married her and subsequently she wants to go with petitioner. Petitioner has got no criminal antecedent and is in custody since 26.11.2019.

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 **Bodh Gaya P.S. Case No. 353 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/her absence on two consecutive dates without sufficient reason, his/her 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)

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