

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17376 of 2020**

Chandeshwar Doam alias Chandeshwar Dom son of Late Jagdish Dom, R/o
village- Kadmahwa, P.S.-Chiutaha (O.P.), District- West Champaran
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 20-07-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner in the present case is apprehending his arrest in connection with Ramnagar P.S. Case No. 150 of 2019 registered for the offence punishable under Sections 366(A)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that this petitioner is the father of main accused Rupesh Dom @ Mithu Dom. As per the allegation in the First Information Report, all the accused persons who are family members of Rupesh Dom @ Mithu Dom are said to have helped him in kidnapping of the victim girl with an intention to marry. It is submitted that the victim girl has appeared and made her statement under Section 164 Cr.P.C. in which she has stated that on the date of Shradh Ceremony of her grandfather, Rupesh Dom @ Mithu Dom had



come to her house where she went along with said Rupesh Dom on a motorcycle to Bilaspur. It is submitted that at this stage no participation of the petitioner has been alleged.

Learned counsel for the petitioner submits that during investigation the victim girl was examined and has been assessed in between 16-17 years at the time of alleged occurrence, both the parties are close door neighbours and it seems to be a case of elopement of the daughter of the informant with the son of the petitioner but so far as this petitioner is concerned, he has never participated in the alleged act of kidnapping. The petitioner has otherwise no criminal antecedent.

Mr. Akhileshwar Dayal, learned APP for the State has though opposed the prayer for pre-arrest bail of the petitioner but considering the facts and circumstances of the case, the fact that this petitioner is the father of said Rupesh Dom @ Mithu Dom with whom the daughter of the informant had gone, the victim girl has already returned and has made statement under Section 164 Cr.P.C. also in which she has accepted that she had gone with Rupesh Dom on his motorcycle, at this stage no participation of this petitioner is alleged, let the petitioner above named in the event of his arrest or surrender within a period of six weeks from today in connection with Ramnagar P.S. Case No. 150



of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate III, Bagaha, West Champaran, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

