

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23150 of 2020

Arising Out of PS. Case No.-320 Year-2019 Thana- GOVINDGANJ District- East
Champaran

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MOTILAL PANDIT Son of Late Surat Pandit Resident of Village-
Bahadurpur, Ward No.14, P.S.-Govindganj, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, APP

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-09-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner seeks bail in Govindganj (Areraj O.P.)

P.S. Case No. 320 of 2019, registered for the offence punishable

under Sections 363, 364(A) and 34 of the Indian Penal Code.

The informant alleged that Rahul Kumar with the help

of other accused persons including this petitioner kidnapped his

minor daughter. When the informant's wife enquired about her

daughter from the family members of Rahul they abused her and

assaulted her. It alleged that the accused persons kidnapped his



minor daughter for wrong works.

It is submitted on behalf of petitioner that petitioner has falsely been implicated in this case. Specific allegation is against one Rahul Pandit. Petitioner has been made accused in this case simply because he is relative of Rahul. Moreover, there is delay of ten days in lodging of the FIR and there is no plausible explanation for such delay. The victim herself appeared with Rahul and recorded her statement in which she has also taken name of this petitioner. In fact there is love affair between the victim girl and Rahul. Other co-accused have been granted bail by this court vide order dated 23.01.2020 passed in Cr. Misc. No. 87119 of 2019 vide Annexure-2. Petitioner is in custody since 04.03.2020 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, 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 Additinal Chief Judicial Magistrate I, East Champaran at Motihari in connection with Govindganj (Areraj O.P.) P.S. Case No. 320 of 2019, subject to following 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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