

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 24742 of 2020

Arising Out of PS. Case No.-71 Year-2020 Thana- BARAUNI District- Begusarai

MANISH KUMAR Son of Vinod Mahto Resident of Village - Rajwara
Gachhi Tola, Post - Barauni, P.S.- Sahayak Thana Garhhara, District -
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr Vinod Shankar Modi, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 25-09-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Barauni (Garhara) Police Station (for brevity, *PS*) Case No 71 of 2020 instituted for the offence punishable under Section 366A of Indian Penal Code.

Prosecution case is that daughter of the informant did



not return after attending Coaching Classes. It is alleged that the informant learnt that co-accused Amarjeet Kumar and 8 other named accused persons and some unknown persons have allured his daughter for committing some crime.

Petitioner's counsel submits that from the First Information Report (for brevity, *FIR*) itself, it is apparent that co-accused Amarjeet Kumar is the main accused. All others including the petitioner and one Bipin Mahto, have been arrayed as named accused. Co-accused Bipin Mahto has been allowed bail by this Court in Cr Misc No 20632 of 2020. Having no criminal antecedent and without any basis, the petitioner has been arrested and he is in custody since 25.02.2020. It is further submitted that the FIR has been lodged after two days.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in Barauni (Garhara) PS Case No 71 of 2020 subject to the following conditions:-

- (i) That one of the bailors will be a close relative of



the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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