

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13161 of 2021**

Arising Out of PS. Case No.-20 Year-2020 Thana- THAKRAHA District- West Champaran

SADDAM DHOBI SON OF KISMAT DHOBI R/o village- Siswaniya, P.S.-
Thakraha, District- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Zainul Abedin

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 20-07-2021 In view of sudden resurgence of COVID-19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

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

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Thakraha P.S. Case No.20 of 2020 registered under Sections 363, 366(A), 120(B)/34 of the IPC.

Allegation in the FIR that informant's daughter has been kidnapped under a planned conspiracy by the accused



persons who are concealing her.

Learned counsel for the petitioner submits that the victim was examined under Section 164 which is evident from order dated 24.11.2020 passed in the trial, photocopy of which has been enclosed as Annexure-2. Referring to the same, he submits that she has claimed to be an adult and who has solemnized marriage with co-accused Allaudin. The statement of the victim therefore belies the prosecution case. The said Allaudin has already been granted benefit of anticipatory bail and the petitioner is in custody since 24.03.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in Thakraha P.S. Case No.20 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.

(Madhuresh Prasad, J)

Prakash Narayan /-

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