

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17913 of 2021**

Arising Out of PS. Case No.-610 Year-2018 Thana- MADHAURAH District- Saran

Krishna Singh Son Of Late Dinanath Singh Resident Of Village- Pojhi, P.S.-
Marhaurrah, Distt.- East Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Ranjan, Advocate

For the Opposite Party/s : Ms. Renuka Ratnakar, APP

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

2 02-07-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Marhaurrah P.S. Case No. 610 of 2018 registered for the offences punishable under Section 368, 366(A) and 376 of the Indian Penal Code arising out of Complaint Case No. 944 of 2018, pending in the court of learned C.J.M., Saran.

As per the prosecution story, the complainant/informant alleged that in connivance with the petitioner and others, co-accused Tinku Kumar kidnapped the



complainant for marriage, took her to Punjab and established forcible physical relationship and this petitioner and other co-accused assured the father of the complainant that they would manage to perform marriage of the complainant with the co-accused Tinku Kumar, but they demanded motorcycle and Rs. 2,00,000/- in cash as dowry.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, petitioner is the father of the co-accused Tinku Kumar and he is in custody since 29.08.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein learned counsel for the petitioner has shown from the statement of the victim girl recorded under Section 164 Cr.P.C. on 27.07.2019 that her age is about 21 years and she has made categorical statement that in the year 2017 she had gone with the co-accused Tinku Kumar on exertion trip she was known to said Tinku because he happens to be a co-villager of her Bua, further she admits that her marriage was also fixed with Tinku Kumar, but later on his father refused to marry with her and thereafter on 11.07.2018 she solemnized marriage with



another person and is living with him, in the nature of the materials placed before this Court, the submission being that this petitioner has been falsely implicated in this case, this court is inclined to release the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Marhowrrah P.S. Case No. 610 of 2018, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such 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 or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage



it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

