

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17631 of 2021

Arising Out of PS. Case No.-209 Year-2020 Thana- DARIYAPUR District- Saran

SURAJ BHAGAT Son of Lal Babu Bhagat Resident of Village - Bela, P.S.-
Dariyapur, Distt.- Saran.-841221 ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.PK Jha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-09-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 366A/34 of the Indian Penal Code.

As per the prosecution case, this petitioner along with other FIR naked accused persons kidnapped the daughter of the informant with intent to marry her.

Learned counsel for the petitioner submits that no such occurrence took place and in fact there was love affair between the victim and the petitioner and out of her sweet will she left the house of her parents. He refers to section 164 Cr. P. C. statement of the victim in which she has stated that she has married with the petitioner on 27.6.2020 in a temple in presence of his brother and villagers and has expressed her desire to live with the petitioner. Doctor has found her age to be 17 to 19 years. Petitioner has claimed clean antecedent and he is in custody since 20.10.2020.

Learned counsel appearing for the State opposes the



prayer for bail.

Considering the rival submissions of the parties and the materials available on the record and section 164 Cr. P. C. statement of the victim, let the petitioner, mentioned above, 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 Additional Chief Judicial Magistrate XIII, Saran at Chapra in Dariyapur Police Station Case No. 209 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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