

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20264 of 2021**

Arising Out of PS. Case No.-1132 Year-2019 Thana- NAWADA District- Nawada

Radhe Ram Son of Late Lutan Ram R/O Village/Mohala- Pachohiya, P.S-
Kadirganj O.P. (Nawada) Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. Addl. Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3. 31-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Nawada Town (Kadirganj O.P.) P.S. Case No. 1132 of 2019, Now corresponding to Sessions Trial Case No. 126 of 2020 / 15 of 2020 registered for the offence under Section 366 (A) / 34 of the Indian Penal Code.

As per the prosecution case, 20.09.2019 at about 4 – 5 o'clock, all the accused persons including this petitioner kidnapped the daughter of the informant for illicit purpose.

It is submitted on behalf of petitioner that petitioner is distant relative of main accused Manish and due to old enmity and village politics, petitioner has been made accused only with a view to harass and humiliate the petitioner. It is further



submitted that the victim girl was recovered on 06.10.2020 and her statement under Section 164 Cr.P.C. was recorded on 20.10.2020 i.e. after 14 days, in which, she has only alleged that this petitioner was also present at Bus Stand, Nawada with other family members of co-accused Manish and no active role has been assigned to this petitioner. Petitioner claims clean antecedent and he is in custody since 02.08.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-1 cum Special Judge, Nawada in connection with Nawada Town (Kadirganj O.P.) P.S. Case No. 1132 of 2019, Now corresponding to Sessions Trial Case No. 126 of 2020 / 15 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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