

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27061 of 2021**

Arising Out of PS. Case No.-278 Year-2020 Thana- SHAHKUND District- Bhagalpur

RAMA KUMAR SINGH @ RAMRUP SINGH Son of Radhe Shyam Singh
Resident of Village- Kathoun Saidpur, P.S.- Shakhund (Sajour), District-
Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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

2 05-10-2021 Learned counsel for the petitioner undertakes to
remove all the defects pointed out by the Stamp Reporter within
four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with S.T. No. 93 of 2021 arising out of
Sahkund (Sajour) P.S. Case No. 278 of 2020 registered for the
offences punishable under Section 365, 366 (A) of the Indian
Penal Code. He is in custody since 09.12.2020. He has
otherwise no criminal antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story, in the night of 3.12.2020 at 2.30 A.M.



when the informant woke up he found his daughter missing from the house and on search no trace of his daughter has been found. The informant suspected that his daughter was kidnapped by this petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the daughter of the informant had gone with the petitioner at her own will, thereafter, she had married to this petitioner and wants to live with him. The petitioner is in custody since 09.12.2020 having no criminal antecedent.

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

Having regard to the facts and circumstances of the case wherein this Court has found that the victim has claimed herself adult aged about 18 years and in a very unequivocal terms she has made her statement under Section 164 Cr.P.C. in which she has specifically stated that she had gone at her own volition and this petitioner had not kidnapped her and she had married with petitioner and wants to live with him only, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five



Thousand Only) with two sureties of the like amount each to the satisfaction of learned 10th Addl. District & Sessions Judge, Bhagalpur or successor court in connection with S.T. No. 93 of 2021 arising out of Sahkund (Sajour) P.S. Case No. 278 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C.

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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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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'.

