

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28027 of 2021**

Arising Out of PS. Case No.-32 Year-2020 Thana- KUDHNI District- Kaimur (Bhabua)

DUJE BHAR S/O BALA BHAR R/O VILLAGE PARIYARI, P.S. KURHNI,
DISTRICT KAIMUR AT BHABUA

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 22-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Kurhni P.S. Case No. 32 of 2020, G.R No. 2390 of 2020 registered for the offences punishable under Section 366(A) of the I.P.C.

Allegation against the petitioner is that he kidnapped the informant's daughter on 22.12.2020.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. Learned counsel further submits that informant's daughter was found missing in



the night of 22.12.2020 and the present FIR has been lodged on 26.12.2020 after delay of four days without assigning any reason. Learned counsel further submits that victim girl in her statement recorded under Section 164 Cr.P.C. stated that no body has kidnapped her rather she voluntarily left her house. Petitioner is in custody since 27.12.2020 and has clean antecedent.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 3rd Kaimur at Bhabua in connection with Kurhni P.S. Case No. 32 of 2020, G.R No. 2390 of 2020, subject to 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 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.

3. 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.

(Rajesh Kumar Verma, J)

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