

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25940 of 2020**

Arising Out of PS. Case No.-56 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)  
=====

BUCHUN SETH @ RAKESH SETH Son of Late Dharmdeo Seth Resident  
of Village- Tarhani, P.S.- Sonhan, Dist- Kaimur (Bhabua)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

**Appearance :**

For the Petitioner/s : Mr. Ravi Shankar Sahay  
Mr.Chandra Mohan Jha  
For the Opposite Party/s : Mr. Ram Priya Sharan Singh

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

4 05-01-2021 Heard Mr. Ravi Shankar Sahay, learned counsel  
for the petitioner and Mr. Ram Priya Sharan Singh, learned  
APP for the State.

The petitioner seeks bail in connection with  
Bhabhua (Sonhan) P.S. Case No. 56 of 2020 instituted for  
the offences under Sections 366(A)/34 of the Indian Penal  
Code.

From perusal of the First Information Report, it  
appears that the daughter of the informant was kidnapped  
and the needle of suspicion was placed on Gopal Seth, who  
is the son of the petitioner. Because of this, it has been



urged, the petitioner, his wife and his daughter also have been made accused in this case.

It has been submitted on behalf of the petitioner that neither the son of the petitioner nor the daughter of the informant have been recovered.

The petitioner is in custody since 26.01.2020.

The wife and daughter of the petitioner have not been sent up for Trial.

This Court had called for a report about the stage of the case from the court below by order dated 23.11.2020. The report indicates that though charges have been framed in this case on 07.10.2020 but till date no witness has been examined.

Regard being had to the nature of accusation, the surrounding circumstances and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabhua, Kaimur in connection with Bhabhua (Sonhan) P.S. Case No. 56 of



2020.

However, it is made clear that petitioner shall participate in the trial in right earnest. If he absents himself from the trial proceedings on two consecutive occasions without obtaining prior leave of the Trial Court, it would be open for the Trial Court to proceed against the petitioner for cancellation of his bail.

**(Ashutosh Kumar, J)**

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