

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38467 of 2021

Arising Out of PS. Case No.-6 Year-2021 Thana- DANDKHORA District- Katihar

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AMLESH KUMAR SAHNI Son of Ram Babu Sahni Resident of Village-
Pohaddi, P.S.- Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Jha, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-12-2021 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding

in physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Dandkhora P.S. Case No. 06 of 2021 registered for the

offence under Sections 363 and 366(a) of the Indian Penal

Code.

The petitioner is said to have abducted the

daughter of the informant by alluring her for the purpose of

marriage.

Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, there was love affairs between the victim and the petitioner and they have voluntarily performed marriage on 07.01.2021, which is evident from Annexure-3 itself. The victim in her statement recorded under Section 164 Cr.P.C. herself admitted that she has performed marriage with the petitioner out of her sweet will and she has denied the allegation that she had been abducted by the petitioner. Therefore, no case under Section 366(A) of the Indian Penal Code is made out against the petitioner. The petitioner is rotting in judicial custody since 25.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 Additional District and Sessions Judge- VI -cum- Special Judge, Katihar in connection with Dandkhora P.S. Case No. 06 of 2021 with 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 canceled 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.

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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