

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35699 of 2020

Arising Out of PS. Case No.-177 Year-2018 Thana- EKMA District- Saran

AKSHAY KUMAR @ AKSHAY KUMAR SINGH Son of Guddu Singh
Resident of Village - Ekari, P.S.- Ekma, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Yadav, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 18-01-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Ekma P.S. Case no. 177 of 2018 corresponding to Sessions Trial no. 444 of 2019 registered under sections 363, 366A and 34 of the Indian Penal Code.

As per allegation in the FIR, the minor daughter of the informant was kidnapped by the petitioner and others with the intention of marriage.

It is submitted by learned counsel for the petitioner that the petitioner and the daughter of the informant are classmates. No offence as alleged has been committed by the petitioner. There is an unexplained delay of two days in lodging of the FIR. The daughter of the informant returned and in the



medical report, no injury has been found. Her age has been estimated to be 17 to 18 years and the dispute between the parties have been amicably settled. The petitioner is in custody since 1.10.2018 and has no criminal antecedent.

The application for bail is opposed by learned counsel for the State who submits that the petitioner is the main accused in kidnapping of the minor daughter of the informant who has supported the case against the petitioner in her statement under section 164 Cr.P.C. It is further submitted that the charge in the case has already been framed.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner being in custody since 1.10.2018, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Ekma P.S. Case no. 177 of 2018 corresponding to Sessions Trial no. 444 of 2019 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge 4th, Saran at Chapra

It is further directed that the petitioner shall remain present in Court on each and every date of trial and in case of



absence of the petitioner on two consecutive dates for reason not to the satisfaction of the Trial Court, the bail bond of the petitioner shall be canceled and he shall be taken into custody till conclusion of the trial.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

