

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.36300 of 2020**

Arising Out of PS. Case No.-49 Year-2020 Thana- THAKURGANJ District- Kishanganj

Jamal son of Abdul Samad Resident of Village-Nankar, P.S.-Thakurganj,
District-Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Onkar Nath, Advocate

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

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

4 08-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Thakurganj P.S. Case No. 49 of 2020 (G.R. No. 648/2020) registered for the offences punishable under Section 365 and 34 of the Indian Penal Code.

As per the prosecution story, the informant alleged that her daughter had been married on 11.05.2019 as per Muslim rites and customs and thereafter she went to her sasural, all of a sudden on 16.03.2020 the son-in-law informed her that her daughter has escaped away from the house and we are searching her. She alleged that all the family members including this petitioner have concealed her daughter.

Learned counsel for the petitioner submits that



petitioner has been falsely implicated in this case, the present F.I.R. has been lodged after an inordinate delay of about forty five days. Learned counsel submits that petitioner is the father-in-law of the daughter of the informant. Petitioner is in custody since 24.07.2020 having no criminal antecedent.

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

Considering the submissions of learned counsel for the petitioner that the present petitioner is the father-in-law of the daughter of the informant and he is living separately from his son, petitioner has remained in jail in connection with the present case since 24.07.2020, investigation against him is complete but the trial is not likely to take place in near future, this Court directs release of the petitioner above released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Thakurganj P.S. Case No. 49/2020 (G.R. No. 648/2020), subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

