

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35918 of 2020

Arising Out of PS. Case No.-14 Year-2020 Thana- SARAI District- Vaishali

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Arvind Ray @ Arvind Kumar @ Arbind Ray @ Arbind Kumar, S/o Late
Ramprit Rai, Resident of Village - Arara, P.S. - Hajipur Sadar, District –
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Yugal Kishore, Adv.

Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 24-05-2021 Heard Mr. Arvind Kumar Sinha, the learned

Advocate for the petitioner and Mr. Yugal Kishore, the

learned counsel for the informant. The State is represented

by Ms. Asha Devi, learned APP.

The petitioner seeks bail in connection with Sarai

P.S. Case No. 14 of 2020, instituted for the offences under

Sections 363 and 366A of the Indian Penal Code.



It has been alleged in the First Information Report that the daughter of the informant was kidnapped by the accused persons and the needle of suspicion veered around the petitioner.

The learned counsel for the petitioner has submitted that after the victim was recovered, she has no doubt named the petitioner, but without any specific accusation. In fact, she has raised allegations against one Mr. Babloo, who is also said to have violated her dignity. It has further been submitted that the victim is the sister-in-law of the brother of the petitioner. The petitioner is also facing prosecution at the instance of his wife for the offence under Section 498(A) of the I.P.C. These facts point towards the victim and the petitioner being related in some way.

The learned counsel for the petitioner, therefore, submits that it cannot be ruled out that such an accusation was levelled only for putting pressure on the petitioner to either succumb to the unwholly desires of his wife or to settle the dispute as early as possible.



Be that as it may, the learned counsel for the petitioner has also pointed out before this Court that he is in custody since 25.08.2020 and the report about the stage of the case from the Court below, which has since been received, indicates that up-till now only one witness has been examined. He, therefore, submits that there is no possibility of the trial being concluded in near future and, therefore, has prayed for grant of bail.

This Court, on hearing the arguments of the counsel for the parties, is inclined to enlarge the petitioner on bail.

The petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-16-Cum-Sub Judge-17, Vaishali at Hajipur in connection with Sarai P.S. Case No. 14 of 2020.

However, it is made clear that the petitioner shall participate in the trial proceedings and his unauthorized absence from the proceedings for two consecutive dates,



without obtaining proper leave of the Trial Court, would
render his bail liable to be cancelled.

The application stands disposed of accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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