

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.38755 of 2020**

Arising Out of PS. Case No.-580 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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Arjun Bhagat Son of Late Ram Kishun Bhagat Resident of Village - Marwa
Basahiya, P.S.- Panapur, Distt.- Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Vijay Bardhan Pandey, Advocate

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

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

4 14-07-2021 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 Muffasil Lakhaura P.S. Case No. 580 of 2019
registered for the offences punishable under Section 366(A),
120(B), 323, 504 of the Indian Penal Code.

As per the prosecution story, the First Information
Report is based on the complaint case stating therein that the
daughter of the complainant aged about 16 years has failed in
the Matric Exam and one Amrit Kumar Bhagat who always
came to his Fua's house namely Prema Devi, who is residing
near the house of the complainant. It is alleged that on
08.11.2019 at 11:00 O'Clock the daughter of the complainant
had gone to the house of Prema Devi and did not return. The



complainant alleged that Prema Devi and other accused persons have abducted her daughter.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case on vague allegation, he is in custody in connection with this case since 07.03.2020 having no criminal antecedent.

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

Having regard to the facts and circumstances of the case wherein from a bare reading of the First Information Report it appears that the thrust of the allegations of love affair is with one Amrit Kumar Bhagat who is the son of the petitioner, the petitioner has been implicated in this case on vague allegations, he is in custody in the present case since 07.03.2020 and has no criminal antecedent, the victim girl has been recovered as informed to this court during pendency of this application, this court directs release of the petitioner above named on bail on furnishing of 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, East Champaran, Motihari, in connection with Muffasil Lakhaura P.S. Case No. 580 of 2019, 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'.

