

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.39004 of 2020**

Arising Out of PS. Case No.-475 Year-2020 Thana- SARAIYA District- Muzaffarpur

Vikky Kumar S/O Dhanraj Mahato Village Tilbihata, P.S. Saraiya,  
Muzaffarpur

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Pankaj Kumar Singh, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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

4      20-07-2021                      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 Saraiya P.S. Case No. 475 of 2020 registered for the offences punishable under Section 366(A), 363/34 of the Indian Penal Code.

As per the prosecution story, the informant alleged that on 14.07.2020 the petitioner and one Dhanraj Mahato had forcibly taken away his minor sister by a vehicle. The informant further alleged that there is also hand of Mantu Mahto and his wife in abduction of his sister, they are anti-social elements.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case, petitioner and the informant are co-villagers, however



petitioner is in custody since 24.07.2020 having no criminal antecedent.

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

Considering the facts and circumstances of the case wherein the victim girl has made statement under Section 164 Cr.P.C. and according to her she had left her house when her mother refused to give her some money, she has made further statement that she had called this petitioner by giving him a telephone call and thereafter at her instance the petitioner had solemnized marriage with her, in the nature of materials which are placed before this Court, petitioner has remained in custody for about one year, 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 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 Additional Chief Judicial Magistrate – IV, Muzaffapur in connection with Saraiya P.S. Case No. 475 of 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'.

