

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1089 of 2021**

Arising Out of PS. Case No.-189 Year-2019 Thana- CHAPRA TOWN District- Saran

Manish Kumar Rai aged about 22 years Son Of Lal Saheb Rai Resident Of
Village-Bir Kuwari Police Station-Parsa, District-Saran

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Basant Kumar Singh, Advocate

For the Opposite Party : Mr.Jagdehar Prasad, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 29-04-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case
registered for the offence punishable under sections 363/366 of
the Indian Penal Code.

As per the prosecution case, on 11.11.2018 petitioner
kidnapped informant's married daughter for the purpose of
marriage.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Referring to the statement of the victim recorded under
section 164 Cr.PC, he submits that the victim has clearly stated
that the petitioner has not committed any wrong with her.



Petitioner has claimed clean antecedent and he is in custody since 14.11.2019.

In section 164 Cr.P.C. statement the victim has claimed herself 18 years old and court has also assessed her age as 18 years. The victim has further stated that she was taken by the petitioner to Orissa and she lived with him for six months. She further dines that the petitioner committed any wrong with her or made physical relation with her. In view of section 164 Cr.P.C. statement the victim coupled with the fact that the petitioner has got clean antecedent, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge XIII, Saran at Chapra in Chapra Town Police Station Case No. 189 of 2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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