

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4385 of 2021

Arising Out of PS. Case No.-51 Year-2019 Thana- BHAPTIAHI District- Supaul

Sushil Kumar Mehta aged about 32 years Son Of Chhotelal Mehta Resident
Of Village- Lakshminiya, P.O.- Hardi, P.S.- Supaul, District- Supaul

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pranav Kumar, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-03-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in a case registered
for the offence punishable under sections 363, 366, 498/34 of
the Indian Penal Code.

As per the prosecution case, informant's daughter
became traceless and on search the informant learnt that FIR
named accused persons kidnapped her for the purpose of
marriage.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR nor his name was taken by the
victim in section 164 Cr.PC statement. It is further submitted
that petitioner's name has come in the case during course of the
investigation to the effect that this petitioner was the driver of
Scorpio and accompanied the victim up to



Muzaffarpur. There is no allegation of sexual assault or any over act has been alleged against the petitioner. Petitioner is in custody since 14.9.2020.

Considering the facts and circumstances of the case and the fact that petitioner's name was not taken by the victim in section 164 Cr.PC statement and he has not been named in the FIR, 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 Sessions Judge, Supaul in Sessions Trial No. 320 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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