

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3400 of 2022

Arising Out of PS. Case No.-103 Year-2021 Thana- BANKA District- Banka

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Ganesh @ Ganni Pairgha Son of Karu Pairgha @ Karu Manjhi Resident of
Village - Kakna, P.S.- Banka, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar @Deepak Sahay
For the Opposite Party/s : Mr.Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 366A/34 of the Indian Penal Code.

According to prosecution case, in brief, is that on 08.02.2021, when the informant Dharmendra Yadav came back his home after working on field, he found his minor daughter Komal Kumari missing. During search, it came to the knowledge of the informant that one Gunny Pairgha with the help of his parents abducted the minor daughter of the informant



with intent to marry with her.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the statement of the victim was recorded under Section 164 Cr.P.C. in which she has categorically stated that the petitioner has not abducted her. She has further stated that she went with the petitioner out of her sweet will and volition as husband and wife. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 31.08.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Banka P.S. Case No. 103 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. One of the bailors shall be the wife of the petitioner namely, Komal Kumari who is also victim in the present case.

4. 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.

(Rajesh Kumar Verma, J)

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