

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7612 of 2022

Arising Out of PS. Case No.-311 Year-2021 Thana- BHELDI District- Saran

AKHILESH RAM S/o Hardeep Ram Resident of Village- Basouta, P.S.-
Bhaldi, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for

the offence punishable under Sections 363 and 366A of the

Indian Penal Code.

Allegedly, informant's daughter was kidnapped by the

petitioner and co-accused person.

The main submissions advanced by the learned

counsel for the petitioner are that so called victim has been

recovered and she recorded her statement before Judicial

Magistrate in which she did not support the allegation of

abduction and accepted matrimonial relation with Sujit Kumar



Ram. In fact, co-accused Sujit Kumar Ram had love affairs with the victim and later on she solemnized marriage with Sujit Kumar Ram and the petitioner has been languishing in jail since 7.11.2021.

Learned APP opposes the prayer for bail.

In view of the above submissions and considering the statement of the victim recorded under section 164 Cr.P.C in which she denied the allegation made in the FIR and she stated that she came with her mother and police personnels before the learned Magistrate for recording her statement which shows that the said statement was recorded without any coercion and also considering petitioner's custody period, let the petitioner 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 Sri Sushant Sagar, Judicial Magistrate, Saran at Chapra in Bheldi P.S. Case No. 311 of 2021 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 below and shall remain physically present as directed by the Court below 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 bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

The court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the court below shall take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

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