

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8292 of 2022

Arising Out of PS. Case No.-109 Year-2021 Thana- PARSAUNI District- Sitamarhi

1. Ratnmala Devi Wife Of Ratnesh Thakur Resident Of Village- Hira Kanhauli,
Police Station- Parsauni, District- Sitamarhi
2. Vicky Kumar Son Of Ratnesh Thakur Resident Of Village- Hira Kanhauli,
Police Station- Parsauni, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Adv

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 363,372,34 of the Indian Penal Code and Section 14 of the POCSO Act.

The minor daughter of the informant is said to have been abducted by the petitioner and other accused persons for the purpose of flesh trade.

Learned counsel appearing for the petitioners submits



that the petitioners have clean antecedent. They have falsely been implicated in the present case only on the basis of suspicion. He further submits that in fact the victim was in love with son of petitioner No.1 and she has left her house with her own sweet-will and performed the marriage with the son of petitioner No.1 on 04.08.2021. He further submits that the present FIR has been instituted afterthought. It appears from the FIR itself that the date of occurrence is mentioned in the FIR as 03.08.2021 but the present FIR has been instituted on 10.08.2021 and the petitioners are in custody since 04.09.2021.

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

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Parsauni Police Station Case No.109 of 2021, S.Tr.No.207 of 2021 with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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