

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 9968 of 2022

Arising Out of PS. Case No.-215 Year-2019 Thana- NAUTAN District- West Champaran

Sheikh Sahil Son of Sheikh Ahad Resident of Village - Sheikh Toli, Nautan,
P.s.- Nautan, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

6 29-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Nautan P.S. Case No. 215 of 2019 lodged under Sections 363,
366-A/34 of the I.P.C.

As per the prosecution case, the allegation of
kidnapping for the purpose of marriage is there in the F.I.R.

Learned counsel for the petitioner submits that victim
girl has given her statement under Section 164 of Cr.P.C. and
she has also supported the prosecution case. Counsel submits
that since the matter was among the family, therefore, upon the
interference of the senior members, it was resolved and the

Nikahnama was performed. The certificate of *Nikahnama* is attached and presently the victim is residing with the petitioner happily and peacefully. Counsel submits that petitioner is in custody since 24.07.2021 having clean antecedent.

Learned counsel for the O.P. No. 2 has appeared through Vakalatnama. He submits that as per his instruction, the O.P. No. 2 is now married with petitioner and not interested to pursue the case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bettiah, West Champaran in connection with Nautan P.S. Case No. 215 of 2019, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of

his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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