

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11623 of 2022

Arising Out of PS. Case No.-53 Year-2017 Thana- BEERPUR District- Begusarai

Jhulan Kumar @ Vikash Kumar Son of Ram Murti Singh Resident of Village-
Vridavan, P.S.- Naokothi, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-07-2022 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 petitioner and learned APP for the State.

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

The prosecution case, in short, is that the accused persons including the petitioner are alleged to have kidnapped the minor daughter (victim) of the informant for the purpose of marriage.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that in fact



the petitioner and the victim was in love and the victim girl has solemnized marriage with the petitioner. He further submits that the victim girl was recovered and her statement under Section 164 of the Cr. P.C. was recorded in which she has categorically stated that she has solemnized marriage with the petitioner on 03.05.2017. He further submits that similarly situated co-accused person has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 02.01.2019 in Cr. Misc. No. 77651 of 2018 and another co-accused namely Ram Murti Singh has been granted bail by this Court by a Coordinate Bench of this Court vide order dated 10.08.2017 in Cr. Misc. No. 36268 of 2017 and the petitioner in custody since 24.06.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Beerpur P.S. Case No. 53 of 2017, with 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 witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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