

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15556 of 2022

Arising Out of PS. Case No.-290 Year-2021 Thana- UDAKISHUNGANJ District-
Madhepura

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ARBIND KUMAR @ ARBIND SAH Son of Sri Ramchandra Sah @
Ramchandra Sah R/o village - Fanhan, P.S.- Udakishunganj, District -
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 02-08-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Udakishunganj P.S. Case No. 290 of 2021 for the offences
under Sections 365 of the Indian Penal Code.

The allegation in the FIR is that the petitioner
abducted the daughter of the informant and in the FIR, it was
further narrated that any untoward incident may happen with his
daughter.

Later the victim girl was recovered and she made a
statement under Section 164 of the Cr.P.C. In the said statement,



her age has been mentioned as 19 years and she has stated that this petitioner is innocent.

Learned counsel for the petitioner submits that the incident is of 29.09.2021 whereas the FIR has been lodged on 02.10.2021 and no reason for the said delay has been incorporated in the said FIR. He further submits even the victim girl has not alleged anything against him and he is in custody since 11.01.2022 (as stated in paragraph-14 of the bail application). He lastly submits that he do not have any criminal antecedent.

Taking into account the aforesaid facts the petitioner is in custody since 11.01.2022, charge sheet stands submitted and the victim girl has not alleged anything against him, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of ACJM-I, Udakishunganj, District Madhepura in connection with Udakishunganj P.S. Case No. 290 of 2021, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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