

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25251 of 2021

Arising Out of PS. Case No.-250 Year-2019 Thana- SANGRAMPUR District- East
Champaran

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Rakesh Kumar S/o Panalal Das Resident of Ramana Tola, P.S.- Sangrampur,
District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

4 18-01-2022 The applicant/accused in Crime No. 250 of 2019 registered with Sangrampur Police Station for the offence punishable under Section 366A read with Section 34 of the Indian Penal Code, by this application is seeking his release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicant/accused. He drew my attention to the statement of the victim recorded under Section 164 Cr.P.C. and submits that now there is no point in further pretrial detention of the applicant.

The learned Additional Public Prosecutor submitted that the case-diary is not received by him.



There is no point in grant of further adjournment in this old matter to the learned Additional Public Prosecutor as he has not even sought for adjournment.

I have considered the submissions so advanced and also perused the materials placed before me including the case-diary.

The FIR in crime in question was registered at the instance of the father of the victim, a female child. He has stated that the applicant along with others had came to his house on 27.07.2019 and insisted that his daughter be married to the son of the persons who had gathered at door. Thereafter, on 01.08.2019, his daughter was found missing.

During the course of investigation, the victim was traced out. Her statement was recorded under Section 164 Cr.P.C. by the concerned Judicial Magistrate, 1st Class. The victim has stated that her age is 18 years and further stated that she herself accompanied the applicant to Alinagar where they married.

The applicant is behind bar from last two years. The investigation of the crime in question is over. Hence, I see no reason to deny bail to the application and, therefore, the order :-



i. The application is allowed.

ii. The applicant/accused in Crime No. 250 of 2019 registered with Sangrampur Police Station be released on bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this



order only after removal of office objections by the
applicant/accused.

(A. M. Badar, J)

Mkr./-

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