

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17837 of 2022

Arising Out of PS. Case No.-252 Year-2021 Thana- SIKTI District- Araria

Shankar Kumar Singh Son Of Vishundev Singh R/O Village- Lailokhar, Ward
No.-10, P.S.- Kunwari O.P., District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-08-2022 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 366A of the Indian Penal Code.

The prosecution case, in short, is that on 16.12.2021, accused petitioner is alleged to have kidnapped the minor daughter (the victim) aged about 16 years 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 there is love affairs between the petitioner and the victim. He further submits that the statement of the victim girl was recorded under Section 161 of the Cr. P.C. and the statement of victim girl was recorded under Section 164 of the Cr. P.C. which contradicts each other and the medical report assessed the age of the victim girl as 17 to 19 years and medical report also suggests that there is no sign of any physical assault and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 19.12.2021.

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 Sikti P.S. Case No. 252 of 2021, 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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