

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28008 of 2021

Arising Out of PS. Case No.-214 Year-2020 Thana- SHAHKUND District- Bhagalpur

BILASH RAY @ VILASH MANDAL Son of Late Kanhai Ray Resident of
Village- Kamalpur, P.S.- Sajour, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 11-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with
Shahkund P.S. Case No. 214 of 2020 registered for the
offence under Sections 365, 366A and 34 of the Indian Penal
Code.

The petitioner with the help of others are said to
have abducted the daughter of the informant.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that as a matter of fact, the petitioner
happens to be father of co-accused, Bam Bam Kumar, who



alleged have abducted the victim for the purpose of marriage. Although the petitioner happens to be father of the co-accused, Bam Bam Kumar, but he has not played any role in the alleged occurrence. He further submits that in fact, there was love affairs between the victim and the son of the petitioner and out of their sweet will, both of them have performed marriage with each other and they are happily living their conjugal life outside the state. Therefore, no case under Section 366A of the Indian Penal Code is made out against the petitioner. The petitioner is rotting in judicial custody since 25.09.2020.

Learned A.P.P. for the on the basis of case diary fairly submits that the petitioner is father of the co-accused, Bam Bam Kumar, who was having love affair with the victim and they have performed marriage out of their sweet will.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Bhagalpur in connection with Shahkund (Sajour) P.S. Case No. 214 of 2020 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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 antecedent, 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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