

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20054 of 2022

Arising Out of PS. Case No.-439 Year-2021 Thana- BELHAR District- Banka

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Md. King Soloman Khan Son of Md Allauddin Khan Resident of Village-
Blessing And Hope Pipra Besa Kusum Vihar, P.S- Sarai Dhela, Dist-
Dhanbad, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhendra Kumar, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-09-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
G.R. No. 3494 of 2021 arising out of Belhar P.S. Case No. 439
of 2021 lodged under Sections 363 and 366 (A) of the I.P.C.

As per the prosecution case, the informant has stated
that at about 11:00 A.M on 24.04.2021, his daughter went to
college but did not return. Upon search, he got information that
her daughter has purchased clothes from the shop of Sheetal
Modi and left her cycle there. He has also been informed that a
Samsung company mobile was with her which was showing

switched off . On the basis of which apprehension was made by the informant that she has been kidnapped.

Learned counsel for the petitioner submits that he is not named in the F.I.R. The daughter of victim has been recovered by the police and she has stated under Section 164 of the Cr.P.C. before the Magistrate which is Annexure-3 of the petition. In the said statement, she has narrated the entire story about her elopement and also narrated the behaviour of the petitioner's family with her. From the said statement, it transpires that there is no complain of wrong behave with her. Learned counsel for the petitioner further submits that petitioner is in custody since 27.12.2021 having clean antecedent, charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that on the instance of the petitioner, the daughter of informant left her house.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, in connection with G.R. No. 3494 of 2021 arising out of Belhar

P.S. Case No.439 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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