

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.22852 of 2022

Arising Out of PS. Case No.-10 Year-2022 Thana- BUXAR MUFFSIL District- Buxar

Vikram Ram @ Vikrama Ram, S/o Vishwanath Ram, Resident of Village-
Hukha, P.S.- Buxar (Muffasil), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 26-07-2022 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Mr. Ajit Kumar, learned counsel for the
petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Buxar (Muffasil) P.S. Case No. 10 of 2022
registered for the offences punishable under Sections 363 and
366(A) of the Indian Penal Code.

As per prosecution case, it is alleged that on
29.12.2021 at around 4 'o' clock in the evening while the
daughter of the informant was returning from school, in the
meantime, co-accused Rahul Kumar, son of the petitioner,



kidnapped her and taken away. It is further alleged that the informant tried his best to search out his daughter, but could not find and thereafter he went to the house of this petitioner and asked about her whereabouts, but the petitioner did not inform about his daughter and asked the informant to do whatever could be done.

It is submitted by the learned counsel appearing on behalf of the petitioner that petitioner happens to be the father of co-accused Rahul Kumar, against whom it is alleged that he has taken away the daughter of the informant. It is also submitted that that with regard to an occurrence, which was said to have taken place on 29.12.2021, the present F.I.R. has been instituted on 09.01.2022, but no explanation whatsoever has been assigned. It is next submitted that save and except the allegation that the petitioner refused to inform about the whereabouts of the daughter of the informant, there is no other material, which suggests the complicity of the petitioner. It is also submitted that the petitioner himself suffered disappearance of his young son and both the boy and the girl are still traceless. It is lastly submitted that the petitioner is in custody since 01.03.2022 having man of fair antecedent.

On the other hand learned APP for the State



vehemently opposes the bail application and submits that the son of the petitioner has taken away the daughter of the informant.

Having considered the submissions made on behalf of the parties and considering that save and except the fact that the petitioner is father of co-accused Rahul Kumar, there is no material against him and moreover this petitioner is in custody since 01.03.2022 having clean antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (Muffasil) P.S. Case No. 10 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates



without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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