

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32507 of 2021

Arising Out of PS. Case No.-199 Year-2018 Thana- CHAND District- Kaimur (Bhabua)

Shree Prakash Gond S/O Prasanjit Gond R/o village- Mahuar, P.S.- Ramgarh,
District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 14-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in Virtual Court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Chand P.S.
Case No. 199 of 2018 registered for the offences punishable
under Sections 366(A) of the Indian Penal Code.

According to prosecution case, one Sonu Bind had
come at the house of Ram Gohan Bind village Ledari on
30.06.2018, he kidnapped the daughter of informant namely
Punam Kumari aged about 14 years. The informant came to
know about the occurrence when he return his house from the
field.



Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and he is innocent and has committed no offence and he has falsely been implicated in the present case only on the basis of the statement of victim girl recorded under Section 164 Cr.P.C.. He further submits that the statement of victim girl recorded under Section 164 Cr.P.C. is also stated that the co-accused namely Ramakant and Rambali brought her a Mohania market and she solemnized marriage with the petitioner. The petitioner is in custody since 28.02.2021.

The learned Additional Public Prosecutor vehemently opposed the prayer for bail, submitting that petitioner carries one criminal antecedent.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Additional Chief Judicial Magistrate-IV, Bhabua (Kaimur) in connection with Chand P.S. Case No. 199 of 2018, subject to 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 witnesses, 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 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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