

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27546 of 2022

Arising Out of PS. Case No.-177 Year-2020 Thana- SURSAND District- Sitamarhi

ANSHU KUAMR RAM @ ANSHU KUMAR S/o Tapeswar Ram R/o
village- Sutihara, P.S.- Parihar, District- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioner and
learned APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 366(A), 34 of
the Indian Penal Code in connection with Sursand P.S. Case No.
177 of 2020.

As per the allegation in the FIR, the informant has
alleged that on 20.6.2020, his sister left home stating that she is
going to buy some cosmetics but never returned. He further
alleged that the accused persons including the petitioner herein
conspired and kidnapped his sister for the purpose of marriage.
Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that the



girl was not minor as has been alleged in the FIR. She tied the nuptial knot with the petitioner herein and the couple is now blessed with a child. He further submits that the lady is residing with her in-laws at the petitioner's house and the alleged victim girl herself who has sworn affidavit in this case.

Taking into account the fact that the petitioner is in custody since 17.3.2022 (as stated in para-1 of the bail application) and as per the statement made in para-12 of the bail application, the victim girl in Section 164 of the Cr.P.C. has stated that her brother has falsely implicated her husband with whom she married and further desired to live with him at his matrimonial home as also that the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned ADJ-VI cum Special Judge (POSCO), Sitamarhi, in connection with Sursand P.S. Case No. 177 of 2020 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

