

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28268 of 2022

Arising Out of PS. Case No.-313 Year-2021 Thana- BARH District- Patna

SONU KUMAR S/o Umesh Paswan R/o Mohalla- Valipur Vaishnodham, P.O.
and P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Kumari Pallavi, Adccocate
	:	Mr.Manoj Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard Ms. Kumari Pallavi, learned counsel for the petitioner and Mr.Anil Kumar, learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 366(A) of IPC.

The prosecution case, in short, is that on 06.08.2021, the petitioner is alleged to have kidnapped the minor Nanad (the victim) aged about 15-16 years.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that there is



admitted love affairs between the petitioner and the victim girl. Further submits that it appears from the impugned order itself that the victim has refused for medical examination and her statement was recorded under Section 164 Cr.P.C. in which she has categorically stated that she herself fled away from the house of the Mausi of the petitioner and the petitioner has not committed any wrong with the victim and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 10.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Barh P.S. Case No.313 of 2021, 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 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.

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)

Nitesh/-

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

