

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30703 of 2022

Arising Out of PS. Case No.-37 Year-2022 Thana- RAMGARHWA District- East Champaran

Rajan Ram Son of Shiv Kumar Ram Resident of Village - Murgiya Tola, P.s.-
Ramgarhwa, Distt.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No-III., Advocate.

For the Opposite Party/s : Mr.Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Mr. Sunil Kumar, learned counsel for the petitioner
and Mr. Ajit Kumar, learned APP for the State are present.

Petitioner seeks regular bail in connection with

Ramgarhwa P.S. case no. 37 of 2022 registered for the offences

punishable under Sections 366(A),34 of the Indian Penal Code

and Section 8 of the POCSO Act.

As per allegation petitioner kidnapped the informant's

minor daughter aged about 17 years with an intention to marry

her and the informant suspected that the family members of the

petitioner were also involved in the alleged kidnapping.

The main submissions advanced by Mr. Sunil Kumar,



learned counsel for the petitioner are that medical board assessed the victim aged between 17-18 years and as such the so called victim is a major girl and the FIR was lodged on 2.2.2022 while as per the FIR the alleged occurrence took place on 27.1.2022 and the petitioner has been languishing in jail since 20.03.2022. Further submission is that the so called victim has been recovered and recorded her statement under section 164 Cr.P.C in which she accepted her matrimonial relationship with this petitioner and revealed that she has been residing in Kathmandu in Nepal with this petitioner as his wife and the said fact finds place in the order of learned Court below.

Learned APP has opposed the prayer for bail.

In view of the above submission and mainly taking in to account the petitioners plea as to the so called victim having solemnized her marriage with this petitioner and living with him as his wife at the present time which gets support from the order of learned Court below and also considering the petitioner's clean antecedent mentioned in his petition and his custody period, in my view a lenient approach can be taken in respect of the petitioners' prayer, let the petitioner 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 concerned



Court in connection with Ramgarhwa P.S. case No. 37 of 2022
on 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 below and shall remain physically present as directed by the Court below 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) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

siddharthkr/-

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

