

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31207 of 2022

Arising Out of PS. Case No.-65 Year-2022 Thana- BALRAMPUR District- Katihar

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BABLU RISHI S/o Ramswarup Rishi Resident of Village- Bajargaon, P.S.-
Balrampur, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 363, 366(A)/34 of the Indian
Penal Code.

According to prosecution case, in brief, is that on
14.04.2022 minor daughter of informant namely Khusi Kumari,
aged about 13 years had gone to shop nearby her house, but she
did not return home. It has been alleged that the
accused/petitioner kidnapped her daughter and taken her away
to Patna.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that allegation against the petitioner is that he has kidnapped the daughter of the informant. He further submits that the victim girl was recovered and her statement was recorded under Section 164 Cr.P.C. in which she has categorically stated that she left her house on her own sweet will and she has performed the marriage with the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 17.04.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that whether the victim girl is major or minor for victimize by the Medical Board.

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 Court below where the case is pending in connection with Balrampur P.S. Case No. 65 of 2022, subject to the following conditions:-

1. One of the bailor should be victim girl namely, Khushi Kumari.



2. 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.

3. 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.

4. 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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