

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43643 of 2021

Arising Out of PS. Case No.-26 Year-2021 Thana- PAKARIBARAW District- Nawada

SANJAY VISHWAKARMA S/o Ramdeo Vishwakarma Resident of
Village /Mohalla - Fatehpur, P.S. - Akbarpur,. District - Nawada, at present
Resident of Village - Aliganj, P.S. - Chandradeep, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 10-03-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Pakaribarawan P.S. Case No. 26 of 2021 registered for the
offence under Sections 366A of the Indian Penal Code.

The daughter of the petitioner is alleged to have
been abducted by the petitioner and others.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. In fact,
the petitioner happens to be the father of the co-accused,
Raushan Kumar, who was having love affair with the victim
and on account thereof son of the petitioner and the victim



have performed marriage out of their sweet will and they are living happily with each other. The petitioner has not played any pivotal role in the alleged occurrence. Therefore no case under Section 366A of I.P.C. is made out against the petitioner. The petitioner is rotting in judicial custody since 12.04.2021.

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, above named, 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 learned J.M-1st Class, Nawada in connection with Pakaribarawan P.S. Case No. 26 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 canceled 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)

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