

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33992 of 2022

Arising Out of PS. Case No.-44 Year-2022 Thana- SUGAULI District- East Champaran

Munna Prasad Gupta @ Munna Kumar S/o Jawahir Prasad @ Jawahar Prasad
R/o village- Maai Sthan, Ward No. 10, P.S.- Sugauli, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. P.N. Shahi, Sr. Advocate

Mr. Ritesh Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-09-2022 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, 365, 366 and 34 of the
Indian Penal Code.

According to prosecution case, as per written report of
the informant namely, Dinesh Kumar Agrawal alleging therein
that on 23.01.2022, four F.I.R. named accused persons,
including the petitioner, came on motorcycle at his door and
took away Kajal Kumari, the daughter of the informant, after
persuading her and escaped with her in their car which was



parked at a distance. It is further alleged that the daughter of the informant also took away her Aadhar Card, Rs.55,000/- cash and 50-60 grams gold jewellery belonging to her mother.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact the petitioner and the victim girl was in love and they have solemnized the marriage before the Marriage Registration Officer, Sadar, Ghaziabad on 24.01.2022 (Annexure-3) and the father of the victim has filed the false and fabricated case against the petitioner and his family members. The petitioner is in custody since 09.02.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

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 G.R. No. 388 of 2022, arising out of Sugauli P.S. Case No. 44 of 2022, subject to 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 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. 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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