

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46224 of 2021

Arising Out of PS. Case No.-161 Year-2020 Thana- PRATAPGANJ District- Supaul

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Dulichan Sada @ Dulichand Sada @ Dulichandra Sada. Son of Late
Sitaram Sada Resident of Village - Pariyahi, Ward No. 1, Police Station -
Chhatapur, District - Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr .Arun, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 29-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 363, 366A,
504, 506 and 34 of the Indian Penal Code.

As per the prosecution case, it is stated that the two
accused persons including the petitioner herein kidnapped the
daughter of the informant. The informant further states that on
going to the house of the petitioner, the accused persons started
to abuse them and were ready to enter into a fight with them.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. The
daughter of the informant is major and had gone with the son of
the petitioner out of her own free will. The petitioner is in



custody since 12.12.2020 and undertakes to cooperate in the trial. He has no criminal antecedent.

Learned counsel for the petitioner files a supplementary affidavit which is taken on record. Relying on the deposition of the daughter of the informant in the trial, it is submitted that from the same it would transpire that the daughter of the informant is a major being 19 years old. Further she has not supported the prosecution case. She was declared hostile. In the supplementary affidavit the petitioner further makes a prayer for correction in the name of the petitioner.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody for 1 year 3 months together with the deposition of the daughter of the informant in the trial, certified copy of which has been brought on record along with the supplementary affidavit, the Court directs the petitioner to be enlarged on bail in connection with S.T. no. 125 of 2021 (arising out of Pratapganj P.S. Case no. 161 of 2020) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J-VII, Supaul.



It is further directed that the petitioner shall cooperate in the trial and shall remain present in Court on each date of the trial.

In case of the petitioner's absence on any date for reasons not to the satisfaction of the learned trial Court, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

It is further directed that the name of the petitioner in the instant application be read as “Dulichan Sada @ Dulichand Sada @ Dulichandra Sada”.

(Partha Sarthy, J)

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