

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46087 of 2021**

Arising Out of PS. Case No.-154 Year-2021 Thana- UDWANTNAGAR
District- Bhojpur

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Bholu Kumar Son of Ram Chandra Singh Resident of Village - Raghapur,
P.S.- Gurawanpur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 59239 of 2021

Arising Out of PS. Case No.-154 Year-2021 Thana- UDWANTNAGAR
District- Bhojpur

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Dewanti Devi W/O Shyam Naresh Ray R/o village- Raghapur, P.S.-
Jurawanpur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 46087 of 2021)

For the Petitioner : Mr. Rajani Ranjan Pd. Singh, Advocate

For the State : Mr. Rabindra Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 59239 of 2021)

For the Petitioner : Mr. Pramod Kumar, Advocate

For the State : Mr. Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

5 18-04-2022

Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and learned APP for the State.



Petitioners seeks bail in a case registered for the offences punishable under Sections 363, 366(A), 372 of the Indian Penal Code.

As per prosecution case, in brief, it is alleged by the informant Pintu Bind that on 26.03.2021 co-accused persons Meera Devi and Dewanti Devi lured away somewhere else his minor daughter namely Nisha Kumari aged about 14 years. His minor daughter and co-accused persons were seen at Arrah Railway Station by one Permeshwar Kunwar. On search, the informant did not trace out his daughter. On 31.03.2021 when both the ladies returned back but his daughter did not with them then he asked about his daughter then Mira Devi and Dewanti Devi did not give proper reply but assured that his daughter will return back.

Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that it appears from the F.I.R. that the petitioners have not committed any offence and no criminal offence has been made out against the petitioners. Learned counsel for the petitioners further submits that the victim girl was recovered on 31.03.2021 and her statement was recorded under Section 164 Cr. P.C. in which she has categorically stated that the marriage of the victim girl was forcibly solemnized with the petitioner (Bholu Kumar) with the



help of the petitioner (Dewanti Devi). Learned counsel for the petitioner (Bhola Kumar) submits that the informant is ready to settle the matter out of court. The petitioners are in custody since 03.04.2021.

Learned APP for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Udwanthnagar (Gajrajganj) P.S. Case No. 154 of 2021, with the following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, 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 petitioners and in case at any stage, it is found that the petitioners have concealed their



criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(4) One of the bailors must be the informant Pintu Bind in first case (Cr. Misc. No. 46087 of 2021).

(Rajesh Kumar Verma, J)

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