

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36248 of 2022

Arising Out of PS. Case No.-145 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

Karan Bind @ Karan Kumar Son Of Surendra Bind R/O Village- Banarsiya,
P.S.- Sasaram (M), District- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sasaram Muffasil P.S. Case No. 145 of 2022 lodged under
Section 366 (A) of the I.P.C.

As per the prosecution case, the daughter of the
informant went in the morning of 08.03.2022 for natural call but
she has not returned. It has been alleged in the F.I.R. that the 4
named accused persons have kidnapped the daughter of the
informant.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He

submits that in the present case, Section 366(A) has not been made out since the ingredient of Section 366(A) and the ingredient present in the present F.I.R. are not matched.

Learned counsel for the petitioner submits that in the order passed by the Additional Session Judge Rohtas at Sasaram, it has been made that the statement of victim girl was recorded under Section 161 of the Cr.P.C. as well as Section 164 of the Cr.P.C. in which the said alleged victim girl has categorically stated that she has voluntarily eloped in marriage solemnized on 28th February, 2022. She further deposed that she sent her to the house of her *Mousi* and thereafter she eloped on 10th March, 2022 with Karan. She herself narrated the entire story in which it transpires that there is no force used against her.

Learned counsel for the petitioner submits that the petitioner is in custody since 25.04.2022 having clean antecedent and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to

the satisfaction of learned C.J.M., Rohtas at Sasaram in connection with Sasaram Muffasil P.S. Case No. 145 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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