

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38588 of 2022

Arising Out of PS. Case No.-115 Year-2022 Thana- BUXAR District- Buxar

Akhilesh Kumar Son of Sri Dilip Ram, R/o Village- Chhotaki Sarimpur, P.S.-
Buxar (T), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 01-11-2022 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
Buxar (T) P.S. Case No. 115 of 2022, lodged under Section
366(A) of the Indian Penal Code.

As per prosecution case, the allegation against the
petitioner is that he has kidnapped daughter of the informant
with a view to marry.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is a man of clean antecedent, charge
sheet has already been filed in this case and petitioner is in

custody since 15.03.2022. It has also been submitted that the alleged victim girl was recovered and recorded her statement with cool mind under Section 164 of Cr.P.C., by which it transpires that she has put pressure upon the petitioner to do the said act. He also submits that only fault of petitioner is that he has not stopped himself to do the same.

Learned counsel for the State opposes the prayer for bail that charge sheet has been filed in this case against the petitioner.

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 A.D.J.-VI-cum-Special Judge, POCSO Court, Buxar in connection with Buxar (T) P.S. Case No. 115 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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