

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51849 of 2021

Arising Out of PS. Case No.-208 Year-2021 Thana- GOPALGANJ TOWN District-
Gopalganj

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Upendra Pandit Son Of Shivpujan Pandit Resident Of Village- Bhitbherwa,
P.S- Nagar, Dist- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-03-2022 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 four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Section 366A of the Indian Penal Code.

According to prosecution case, the informant Durgawati Devi in her written report stating therein that her neighbor Upendra Pandit used to talk with her daughter on mobile and when the informant went to his house and raised objection then his father Shivpujan Pandit, his brother Baliram Pandit and Rajkumar Pandit said that do whatever she wants to do. It is further stated that on 22.03.2021 her daughter went to



attend tuition and she could not return then the informant came to know from another girl that she was going with Upendra Pandit.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that it appears from the F.I.R. that the victim girl without any resistance go with the petitioner. He further submits that the statement of the victim girl was recorded under Section 164 Cr.P.C. in which she denied the allegation of kidnapping and police after investigation submitted the charge sheet against the petitioner and the charge has been firmed on 14.07.2021. The petitioner is in custody since 27.03.2021.

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

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 Sessions Trial No. 329 of 2021 arising out of Gopalganj Nagar P.S. Case No. 208 of 2021, 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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