

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53031 of 2021

Arising Out of PS. Case No.-363 Year-2020 Thana- GANDHIMAIDAN District- Patna

ABHINAV RAJ @ BITTU Son of Dilip Kumar R/O Village - Babupur, P.S.-
Naubatpur, District - Patna, at present residing in village Ballua, P.S. - Maner,
District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-04-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Section 366A of the Indian Penal Code.

The daughter of the informant is said to have been
abducted by the petitioner and others.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. In fact,
the petitioner has not been named in the F.I.R. but the name
of petitioner has surfaced in this case during course of
investigation. He further submits that the victim in her
statement recorded under Section 164 Cr.P.C. has accepted



that she along with petitioner were attending the same coaching classes. The victim has also medically examined in which the doctor has not found any internal or external injury on her body. Therefore, no case under Section 366A of I.P.C. is made out against the petitioner. The petitioner is rotting in judicial custody since 12.12.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Court below where the case is pending in connection with Gandhi Maidan P.S. Case No. 363 of 2020 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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