

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53683 of 2021

Arising Out of PS. Case No.-130 Year-2021 Thana- RAMNAGAR District- West Champaran

Vishal Kumar, Son Of Umesh Ram, R/O Village- Ramnagar, Nepali Tola,
P.S.- Ramnagar, Dist.- West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

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

The petitioner seeks bail in connection with Ramnagar P.S. Case No.130 of 2021, registered for the offence under Sections 363, 366A/34 of the IPC and Sections 4 and 8 of POCSO Act.

Allegation against the petitioner is that he along with other accused persons kidnapped the daughter of the informant with intention to marry.

Learned counsel for the petitioner submits that he has clean antecedent and has falsely been implicated in the present



case. In fact the victim was in love affair with the petitioner and on the instance of the victim, the petitioner and the victim fled away from the native place and stayed in Patna. He further submits that the statement of the victim recorded under Section 164 of the Cr.P.C. in which she categorically stated that she is in love with the petitioner and he belonged to the Scheduled Caste community and her parents were not ready to marry with the petitioner and there is no allegation of sexual assault against the petitioner. The petitioner is in custody since 11.04.2021.

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

Considering the fact and circumstances of the case, 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 learned Addl. District and Sessions Judge 7th-cum- Special Judge POCSO, Bettiah, West Champaran in connection with Ramnagar P.S.Case No.130 of 2021 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 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.

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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

khushbu/-

U		T	
---	--	---	--

