

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57374 of 2021

Arising Out of PS. Case No.-183 Year-2021 Thana- DIGHWARA District- Saran

RAVI KUMAR Son of Kolumbus Rai Resident of Village- Kanakpur
Atimanpatti, P.S.- Dighwara, District- Saran at Chapara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh, Adv
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 12-04-2022 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 learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 363, 366/34 of the Indian Penal Code.

As per prosecution case, it is alleged by the informant Umesh Kumar Rai that for almost one year there has been a dispute between the informant and the co-accused Bharat Rai regarding the village road. It is further alleged that on 03.07.2021 at about 5:00 O'clock his sister had gone to attend the call of nature where the co-accused Bharat Rai, his son and



the petitioner kidnapped his sister and the accused Dharmjeet Rai and his sister Nishu Kumari are traceless till now.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. In fact the petitioner is villager. He further submits that in fact the victim was love affair with the son of Bharat Rai and due to objection made by both family about their love then they have left the village without informing their parent, and performed marriage on 15.10.2021 at Shree Raghunath Mandir (Regd) near Railway Bridge, New Kundanpuri, Civil Lines, Ludhiyana, Punjab. He further submits that the father-in-law of the victim, namely, Bharat Rai has been granted bail vide order dated 06-04-2022 in Cr. Misc. No.55970 of 2021 by this Hon'ble Court and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 05.07.2021.

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 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 Court below



where the case is pending in connection with Dighwara P.S.
Case No. 183 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/her absence on two consecutive dates without sufficient reason, his/her 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 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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