

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58784 of 2021

Arising Out of PS. Case No.-177 Year-2021 Thana- NAANPUR District- Sitamarhi

Rajesh Kumar Son of Santo Mahto @ Satto Mahto, R/o - Banaul, P.S.-
Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 28-09-2022 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
Nanpur P.S. Case No. 177 of 2021 (G.R. No.788 of 2021),
lodged under Sections 363/366(A) of the Indian Penal Code.

The allegation as per prosecution is that the present
petitioner has kidnapped the sister of informant and this
kidnapping has been made with a view to sale or marriage, upon
query they started abusing the informant.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that upon the alleged kidnapping, recovery of victim

has been made and she recorded her statement under Section 164 of Cr.P.C. wherein she deposed that no commission of crime has taken place with her and it also transpires from the order passed by Additional Sessions Judge-VI, Sitamarhi. Learned counsel for the petitioner further submits that petitioner is in custody since 08.07.2021 and he has having clean antecedent.

Learned counsel for the State opposes the prayer for bail.

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 Additional District Judge VI, Sitamarhi cum Special Judge in connection with Nanpur P.S. Case No. 177 of 2021, 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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