

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61625 of 2021**

Arising Out of PS. Case No.-152 Year-2021 Thana- LAUKAHA District- Madhubani

Satyendra Kumar Ram S/o Shiv Kumar Ram Resident of Village- Rampur,
P.S.- Laukaha, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

4 29-09-2022 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
Laukah P.S. Case No. 152 of 2021 (G.R. No. 853 of 2021)
lodged under Sections 363, 366(A)/34 of the I.P.C.

As per the prosecution case, the allegation of
kidnapping for marriage is there in the F.I.R. against 4 known
accused persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that the alleged victim has recovered and narrated her
statement under Section 164 of Cr.P.C. in which she disclosed

that at the night, there were 3 persons who kidnapped her in which one person shall identified as Satyendra Kumar Ram that is present petitioner. Learned counsel submits that from this statement, it transpires that it is a case of kidnapping but the further statement under Section 164 of Cr.P.C. creates doubt that it is a case of kidnapping and this event normally happens only in a situation when 2 persons are in love. It has also come that Satyendra Kumar Ram brought the victim at the house of his *Mousi* where they leave for 3 days and 4th day she returned with Satyendra Kumar Ram. Learned counsel further submits that Medical Board has been constituted in which no external injury present on her body or private part and age of victim Medical Board has determined as 16 years.

Learned counsel for the petitioner submits that at the time of occurrence, the petitioner was aged about 19 years. He is in custody since 23.05.2021 having clean antecedent and has not crossed the age of majority.

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 Judicial Magistrate - 1st Class,

Jhanjharpur in the District of Madhubani in connection with
Laukaha P.S. Case No. 152 of 2021 (G.R. No. 853 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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