

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61492 of 2021**

Arising Out of PS. Case No.-68 Year-2019 Thana- DHURAIYA District- Banka

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SANGAM KUMAR @ SANTOSH KUMAR S/o BHARAT SINGH R/o
VILLAGE-NAROUN, P.S- SAMBHUGANJ, DISTRICT-BANKA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 19-07-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Dhoraiya P.S. Case No. 68 of 2019 for the offences under
Section 366(A) of the Indian Penal Code.

The allegation in the FIR is that the younger daughter
of the informant had disappeared and he alleged that she has
been kidnapped for the purpose of marriage. The minor
daughter of the informant thereafter was recovered and she
made a statement under Section 164 of the Cr.P.C. in which she
narrated that she went to Delhi on her own along with this
petitioner with further statement that no physical relationship



was made between them.

In this case, case diary was called for on 20.04.2022 and as per the Medical Report, the doctors have opined the age of the victim girl between 15-17 years.

Learned counsel for the petitioner submits that the fault of the petitioner is that he only went along with the minor girl for which he is in jail since 13.08.2021 (as stated in paragraph-12 of the bail application).

Taking into account the aforesaid facts, charge sheet stands submitted and he is in judicial custody since 13.08.2021, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Dhoraiya P.S. Case No. 68 of 2019, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of



bail by the Trial Court itself;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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