

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62504 of 2021

Arising Out of PS. Case No.-268 Year-2021 Thana- KOTWALI District- Munger

CHINTU KUMAR Son of Arjun Sah R/o 44(1), Amber, Siris Tal, P.S. -
Biharsarif, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rupesh Kumar, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-04-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 366A and 34 of the Indian Penal
Code.

The daughter of the informant is said to have been
abducted by the petitioner and others.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that the petitioner has not been named in
the F.I.R. but merely on the basis of suspicion, he has been
made accused in this case. As a matter of fact, the victim and



the petitioner were having love affairs and out of sweet will of the victim, she went with the petitioner but on the pressure made by her family members, the victim in her statement recorded under Section 164 Cr.P.C. has changed her statement to the extent that the petitioner and one Om Prakash Rishu have kidnapped her. He further submits that medical report of the victim does not suggest that she has been inflicted any external or internal injury on her body. Therefore, no case under Section 366A of the I.P.C. is made out against the petitioner. The petitioner is rotting in judicial custody since 22.07.2021.

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, above named, petitioner 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 Kotwali (Basudeopur) P.S. Case No. 268 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 canceled 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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