

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63815 of 2021**

Arising Out of PS. Case No.-36 Year-2021 Thana- KOTHI District- Gaya

Shadab Shah @ Bumphat Son of Jahir Sah R/o Village- Samsabad, P.S.-
Imamganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

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

3 11-10-2022 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
Kothi P.S. Case No. 36 of 2021, lodged under Sections
366(A)/34 of the Indian Penal Code.

As per prosecution, the F.I.R. has been lodged against
5 named accused persons with allegation of kidnapping the
informants daughter with a view to marry.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that the alleged victim girl has been recovered and
recorded her statement under Section 164 of Cr.P.C. before the

court. The court upon testification taken her statement in which she disclosed that she herself went to Calcutta and not named of any accused person in this case. Learned counsel for the petitioner further submits that petitioner is in custody since 07.08.2021, charge sheet has already been filed and antecedent of petitioner is clean.

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 J.M. 1st Class, Sherghati (Gaya) in connection with Kothi P.S. Case No. 36 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.)

ritik/-

U		T	
---	--	---	--