

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64007 of 2021

Arising Out of PS. Case No.-109 Year-2021 Thana- PARSAUNI District- Sitamarhi

Ram Udgar Thakur Son of Late Ramfal Thakur Resident of Vill- Shahpur
Maricha, P.S.- Maniyari, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

.. .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sangeet Deokuliar
For the Opposite Party/s	:	Mr. Madhura Nand Jha, A.P.P.
For the Informant	:	Mr. Satya Prakash Parasar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-04-2022 Heard learned counsel for the petitioner and learned
counsel for the Informant as well as learned Additional Public
Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 363, 372/34 of the Indian
Penal Code and Section 14 of the POCSO Act.

According to prosecution case, the informant lodged
information with Parsauni police station stating therein that his
daughter Sonam Raj, had gone to temple on 03.08.2021 but
when she did not return till 7-8 a.m. then they started search. On
07.08.2021 one Shambhu Raut told him that on 03.08.2021 he



had seen his daughter going on a white vehicle with a lady and 3-4 boys, he has also stated the names as Sunny Kumar @ Ankit Kumar, Raynamala Devi, Vicky Kumar, Rajnandini Kumari, Ayush Kumar and others, his relative Munna Kumar Nirmal has also said this. It is further said that he went to the house of Ratnesh Thakur where his wife said that his daughter will be returned in two days but till date no information has been received.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. He further submits that in fact the co-accused namely, Ankit Kumar and victim was having love affairs and the statement of the victim was recorded under Section 164 Cr.P.C. in which she has categorically stated that she has performed marriage on 04.08.2021 with him. The petitioner is in custody since 15.09.2021.

The learned counsel for the Informant and learned A.P.P. has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Parsauni P.S. Case No. 109 of 2021/G.R. Case No. 1931 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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