

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62916 of 2021

Arising Out of PS. Case No.-89 Year-2021 Thana- AGION (GARHANI) District- Bhojpur

Sonu Kumar Son of Dineshwar Singh Resident of Village - Laharpa, police
Station - Agiaon, District - Bhojpur, Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 22-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Agion (Garhani) P.S. Case No. 89 of 2021 registered for the alleged offences under Sections 363 and 366(A) of the Indian Penal Code.

As per prosecution case, the petitioner kidnapped the minor daughter of the informant with the help of the co-accused persons with an intention to marry her.

The learned counsel for the petitioner submits that no occurrence as alleged has ever taken place. The daughter of the



informant went away herself and there was no role of the petitioner in this case. The FIR has been lodged after delay of 15 days and there is no explanation for this inordinate delay. The victim girl recorded her statement under Section 164 Cr.P.C. wherein she stated that she went to Delhi and returned after some days and there was no role of this petitioner in the whole occurrence. The petitioner is in custody since 08.08.2021 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that there is specific allegation against the petitioner that he kidnapped the daughter of the informant.

Perused the records.

Having regard to the facts and circumstances of the case and considering the submission made on behalf of the parties and further considering the statement of the victim girl before the learned court below recorded under Section 164 Cr.P.C. wherein she absolved the petitioner and others and further considering the period of custody along with his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I,



Bhojpur at Ara. in connection with Agion (Garhani) P.S. Case No. 89 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

(i) One of the bailors will be Dineshwar Singh, father of the petitioner, who has sworn the affidavit in this case.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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