

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53353 of 2022

Arising Out of PS. Case No.-26 Year-2017 Thana- GOVINDPUR District- Nawada

Sanjay Kumar, S/o Bhagirath Prasad @ Bhagirath Mahto, Resident of
Village- Roh, P.S.- Roh, District- Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-12-2022 Today being Friday, matters are being taken up
through virtual mode as per current procedure for hearing.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Govindpur P.S. Case No.26 of 2017 registered for the offence
punishable under Sections 341, 323, 448, 366, 380, 504 of the
Indian Penal Code.

Informant has alleged that his married daughter, aged
about 22 years old, has been kidnapped by the instant petitioner.

The petitioner's counsel submits that the petitioner's
implication is on extraneous considerations. The parties have
filed a petition in the trial court placing on record the fact that
the prosecution party does not wish to proceed with the case any



further. He submits that such petition has been filed on realisation of the case being filed under misconception. Petitioner having no criminal antecedents, is in custody since 20.07.2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions and in the above noted fact and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 learned Additional Chief Judicial Magistrate, Nawadah, in connection with Govindpur P.S. Case No.26 of 2017, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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