

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.54358 of 2022**

Arising Out of PS. Case No.-345 Year-2018 Thana- NAANPUR District- Sitamarhi

Amresh Mandal @ Amresh Kumar S/o Ramchandra Mandal @ Chandan Mandal Resident of Village- Raipur, P.S.- Nanpur, Distt- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-12-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by the Stamp Reporter within two weeks.

Heard learned counsel for the petitioner and Mr. Md. Iftekhar Mahmood, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Nanpur P.S. Case No. 345 of 2018 registered for the offences under Section 363 of the Indian Penal Code. He is in custody since 01.07.2022 having no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that his daughter has disappeared since 22.10.2018 at 5:00 O' clock in the morning. The informant tried his best to search his daughter but failed to search his daughter.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that in her statement under Section 164 Cr.P.C. the victim girl has accepted that she has left her house and went at Bangalore with her own will and stayed there with her sister-in-law till her marriage and solemnized marriage in November 2020 as per her will.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein the victim girl has come back, she has made statement under Section 164 Cr.P.C. that she had gone out of her own sweet-will and went to Bangalore to reside with her Nanad and that she has voluntarily married with this petitioner in the year 2020, the case is of the year 2018 and the statement has been made by the daughter of the informant who claims herself major at this stage, therefore, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sitamarhi, in connection with Nanpur P.S. Case No. 345 of 2018, subject to the condition as laid down under Section 437



(3) Cr.P.C.

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.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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