

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67197 of 2021**

Arising Out of PS. Case No.-131 Year-2020 Thana- KASHICHAK District- Nawada

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ROHIT RAJ @ ROHIT Son of Ajay Kumar Resident of Village - Dihrigasti,
P.S. - Harnaut, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 26-04-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 363 and 366(A) of the Indian
Penal Code.

The grand daughter of the informant is said to have
been enticed away for the purpose of marriage by the
petitioner and others.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that as a matter of fact there was love affair
between the co-accused, Bitu Mahto and the victim who in



her statement recorded under Section 164 Cr.PC. has admitted that she is aged about 21 years and she herself went with the co-accused, Bittu Mahto and also performed marriage with each other. He further submits that the petitioner has not played any role in the alleged occurrence nor he has been named in the F.I.R. not only that, the victim has also not whispered anything about the involvement of the petitioner in the alleged occurrence in any manner. The petitioner is rotting in judicial custody since 29.04.2021.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Court below where the case is pending in connection with Kashichak P.S. Case No. 131 of 2020 with 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/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled 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.

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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