

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70233 of 2021

Arising Out of PS. Case No.-85 Year-2021 Thana- MANSURCHAK District- Begusarai

Rahul Kumar Son Of Late Jagdish Rai @ Jagdish Yadav Resident Of Village -
Navtal, P.S.- Mansoorchak, Distt.- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-06-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

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

Petitioner in the present case is seeking regular bail in
connection with Mansoorchak P.S. Case No. 85 of 2021
registered for the offences punishable under Sections 366A/34
of the Indian Penal Code. He is in custody in the present case
since 03.09.2021. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story, at the night of 11.08.2021 the daughter of
the informant went missing and on search the informant came to
know that his neighbour Rahul Kumar (petitioner) along with
Suman Kumar, Puja Kumari, Sunaina Devi had kidnapped his



daughter.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the victim girl has returned and has made her statement under Section 164 CrPC in which she has stated that she had gone with the petitioner voluntarily. It is submitted that the petitioner is in custody in connection with this case since 03.09.2021 having no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that in this case the FIR has been lodged after about 17 days, the victim girl has returned and she has made statement under Section 164 Cr.P.C. that she had voluntarily gone with the petitioner and the petitioner had neither enticed her nor deceitfully taken her, the petitioner has remained in custody since 03.09.2021, investigation against him is complete and his presence may also be secured in course of trial, this Court directs that the petitioner above named be released 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 C.J.M., Begusarai in connection with Mansoorchak P.S. Case No. 85 of



2021, 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 steps 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

