

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60345 of 2022**

Arising Out of PS. Case No.-285 Year-2020 Thana- TARIYANI CHOWK District- Sheohar

LALAN KUMAR Son of Jamiri Sah R/v- Mohari, P.S.- Tariyani, District-
Sheohar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

2 19-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 363, 366A and 34 of the Indian Penal Code.

The prosecution case, in short, is that on 13.11.2020 at about 04:00 P.M. accused persons including the petitioner are alleged to have kidnapped the minor daughter of the informant aged about 17 years for the purpose of her marriage.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that in fact the petitioner and the victim was in love and the victim in her sweet will performed marriage with the petitioner. He further



submits that the statement of the victim girl was recorded under Section 164 of the Cr. P.C. in which she has categorically stated that she has performed marriage with the petitioner and they have blessed with a child who is aged about five months.

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

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees 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 Tariyani P.S. Case No. 285 of 2020 corresponding to G.R. No. 1611 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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