

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1666 of 2022**

Arising Out of PS. Case No.-272 Year-2021 Thana- BANIAPUR District- Saran

RAJU DAS Son of Birendra Das Resident of Village- Berui, P.S.- Baniyapur,
District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 03-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Baniyapur P.S. Case No. 272 of 2021 registered for the offence
under Sections 366, 498 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 24.07.2021.

The allegation against the petitioner is to kidnap
daughter-in-law of the informant aged about 21 years along with
other co-accused persons.

Learned counsel appearing on behalf of the petitioner
submitted that thrust of allegations is against the main accused,



namely, Devendra Rout, whereas allegation against the petitioner, is only to purchase mobilephone of the victim. It is submitted that nothing incriminating surfaced against the petitioner through statement of victim recorded under Section 164 of the Cr.P.C. It is also submitted that petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that thrust of allegation as regard to kidnapping is against the main accused, namely, Devendra Rout.

Considering the facts and circumstances as mentioned above, as allegation as regard to kidnapping, is not against the petitioner as per statement of victim recorded under Section 164 of the Cr.P.C. coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Baniyapur P.S. Case No. 272 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra/concerned court, subject to the following conditions:



“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Renu Devi, who is the wife of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

R.S.Sen/-

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