

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10002 of 2023**

Arising Out of PS. Case No.-241 Year-2022 Thana- ROHTAS District- Rohtas

AKHILESH KUMAR SINGH @ AKHILESH KUMAR Son of Shiv Shankar  
Singh @ Shambhu Singh R/v- Kushdihra, P.S.- Rohtas, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

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

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

4      07-08-2023                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 19.10.2022 in connection with Rohtas P.S. Case No. 241 of 2022, F.I.R. dated 27.06.2022 registered for the offence punishable under Section 366 IPC and later on Section 302 of IPC.

3. The prosecution case, in short, is that on 24.06.2022, the petitioner is alleged to have kidnapped the daughter of the informant for the purpose of marriage.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and merely on the basis



of suspicion the petitioner has been implicated in the false and fabricated case. Further submits that it has come during investigation that on the date of occurrence i.e. on 27.06.2022 the petitioner was not present at the place of occurrence he was in the State of U.P. and there is no eye witness of the alleged occurrence and merely on the basis of suspicion the petitioner has been implicated in the false case and except the suspicion, no cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 19.10.2022.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, 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 Judicial Magistrate, 1<sup>st</sup> Class, Dehri-on-Sone, Rohtas in connection with Rohtas P.S. Case No. 241 of 2022, with the following conditions:-

(I) 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 cancelled by the Court below.

(II) 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.

(III) 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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