

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11241 of 2023

Arising Out of PS. Case No.-149 Year-2022 Thana- PATORI District- Samastipur

CHANDAN KUMAR @ CHANDNA KUMAR S/O SARBAN KUMAR @
SHARVAN MAHTO @ SHARMAN KUMAR R/v- Banda Diyara Malahi,
P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-05-2023 No one appears on call.

Although, the learned APP for the State is present.

The petitioner is an accused in connection with Patori Mohanpur P.S. Case No. 149 of 2022 registered for the offences under sections 363, 366(A) and 34 of the Indian Penal Code lodged on 27.04.2022 by the informant, Brijnandan Mahto.

The prosecution story, in brief, is that on 24.04 2022 around 05:00 PM daughter of the informant aged about 15 years fled away from the house. When the informant made search, he came to know that (1) Tanki Kumari, (2) Mala Devi, (3) Runa Devi collectively have abducted his daughter. It is further alleged that she took with her some gold ornaments as also Rs. 50,000/- cash. It is further alleged that when the



informant enquired from them, they said that Chandan Kumar son of Shravan Kumar has taken his daughter for the purpose of marriage. Accordingly, the FIR.

As per the petition, the victim girl in her statement made under 164 of the Cr.P.C. stated that she left the place on her own and married the person of her choice to whom she was in love with for last two years.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Considering the aforesaid fact as also that he is in custody since 30.04.2022 (as stated in paragraph-11 of the bail application) and do not have criminal antecedent, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned Additional Sessions Judge-Cum-Special Court (POCSO), Samastipur in connection with Patori (Mohanour O.P.) P.S. Case No. 149 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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