

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21451 of 2023

Arising Out of PS. Case No.-1070 Year-2022 Thana- ARA NAWADA District- Bhojpur

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KRISHNA MANDAL S/O GURUCHARAN MANDAL @ GURU
CHARAN PRASAD Resident of Village- Gobardhan Chak, P.S.- Koilwar,
District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Adv.

For the Opposite Party/s : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-07-2023 1. Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
21.01.2023 in connection with Ara Nawada P.S. Case
No.1070/2022, dated 09.12.2022, for the offences punishable
under Sections 363, 365, 366(A) and 34 of the IPC.

3. According to prosecution case, four unknown
persons are alleged to have kidnapped the daughter of the
informant while she had gone to her college for filling the form
for scholarship along with her mother.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that in fact the



victim was in love with the co-accused, namely, Raju Kumar @ Rajiv Kumar and the petitioner is friend of said Raju Kumar @ Rajiv Kumar. He further submits that the victim herself categorically stated in her 164 Cr.P.C. statement that she has performed marriage with co-accused Rajiv Kumar, who is friend of the petitioner and there is no accusation against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 21.01.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 the learned C.J.M., Bhojpur at Ara in connection with Ara Nawada P.S. Case No. 1070/2022, subject to the 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 witnesses, 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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