

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27350 of 2023

Arising Out of PS. Case No.-76 Year-2022 Thana- SHRI NAGAR District- Madhepura

ABHIMANYU KUMAR SON OF ANIL PASWAN RESIDENT OF
VILLAGE- RAMNAGAR MAHESH WARD NO. 13, PS- SRINAGAR,
DISTT- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Srinagar
P.S. Case No. 76 of 2022 registered for the offence under Sections
363, 366(A) read with 34 of the Indian Penal Code.

The minor daughter of the informant is alleged to have
been kidnapped by the petitioner and others.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the petitioner was having love affairs between the victim and
they have solemnized the marriage. He further submits that the
victim was major as in her educational certificate, her date of
birth is recorded as 11.05.2005. He further submits that the



victim has been recovered and her statement was recorded under Section 164 Cr.P.C. in which she has not supported the allegation leveled against the petitioner and stated that she has performed marriage with the petitioner and she is residing in the house of the petitioner. Hence, no case of abduction is made out against the petitioner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 16.01.2023.

Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 S.D.J.M., Madhepura in connection with Srinagar P.S. Case No. 76 of 2022 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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) One of the bailors shall be the wife of the petitioner, namely, Rimmi Kumari, who happens to be the victim in this case.

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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