

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28139 of 2023

Arising Out of PS. Case No.-130 Year-2022 Thana- ALAMNAGAR District- Madhepura

1. Ram Bilash Ram @ Ram Vilash Ram @ Bilash Ram Son Of Late Pyare Ram R/O-Narthua, Ward No. 09, P.S.-ALAMNAGAR, Distt.-MADHEPURA
2. Bulbul Ram Son Of Ram Bilash Ram @ Bilash Ram @ Ram Vilash Ram R/O-Narthua, Ward No. 09, P.S.-ALAMNAGAR, Distt.-MADHEPURA
3. Subham Ram @ Subo Ram Son Of Ram Bilash Ram @ Bilash Ram @ Ram Vilash Ram R/O-Narthua, Ward No. 09, P.S.-ALAMNAGAR, Distt.-MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners seek bail, who is in custody since
14.12.2022 in connection with Alamnagar P.S. Case No. 130 of
2022, F.I.R. dated 20.05.2022 for the offences punishable under
Sections 363, 366 and 34 of the Indian Penal Code.

According to prosecution case, in brief is that the
informant Deepak Yadav gave his written petition alleging
therein that on 26.04.2022, the petitioners along with co-
accused persons named in the FIR kidnapped his minor
daughter on gun-point while his daughter along with her brother



was going to Vijaya Smarak Project Girls Plus-II School, with intention to marry the daughter of the informant with Jyoti Kumar, who is son of co-accused persons namely, Kapildev Ram and Kal Devi. They left informant's son Suman Kumar after assaulting him. Thereafter, the son of the informant narrated the entire story to the informant. Informant along with his villagers went to the house of accused persons and inquired about her daughter but they denied to return her daughter and threatened to do what he (informant) wants.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case merely on the basis of suspicion. He further submits that bare perusal of the F.I.R. it appears that there is general and omnibus allegation these petitioners and there is specific allegation against co-accused namely Hyoti Ram and their family members. He further submits that it appears from the F.I.R. that the date of occurrence as alleged in the F.I.R. is 26.04.2022 but the present F.I.R. was instituted on 20.05.2022 after delay of 26 days without any explanation of delay. He further submits that the victim girl was recovered and her statement was recorded under Section 164 of Cr.P.C. in which she has not stated anything about these petitioners and



petitioners are not the family members of Jyoti Ram and they are co-villagers. He further submits that the police after investigation submitted the charge sheet against the petitioners and the petitioners are in judicial custody since 14.12.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sri Sumit Kumar, J.M. 1st Class, Udakishunganj, District-Madhepura, in connection with Alamnagar P.S. Case No. 130 of 2022, subject to the following conditions:-

1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

mdrashid/-

U		T	
---	--	---	--

