

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35136 of 2023**

Arising Out of PS. Case No.-813 Year-2022 Thana- ARA NAGAR District- Bhojpur

SHIDHANT KUMAR @ PIVA Son of Ram Kishun Kumar Resident of
village - Rauja, P.S. - Ara Nagar, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 12-07-2023 No one appears on behalf of the petitioner although
the State is present.

The petitioner is in custody since 11.10.2022 in connection with Ara Nagar P.S. Case No. 813 of 2022 for the offence punishable under Sections 363 and 366A of the I.P.C. lodged on 8.9.2022 by the informant Md. Kalam.

The prosecution story, in brief, is that the informant Md. Kalam gave his written statement before Station his House Officer, of Ara Nagar Police Station stating therein that on 05.09.2022 the accused Shidhant Kumar @ Piva (Petitioner) has kidnapped his minor daughter and as she returned, later the victim's returned home only to find jewellery/money missing. It is further alleged that when his wife went to house of



Shidhant to enquire, the accused's elder brother abused her and did not tell about Shidhant. Earlier Shidhant and his daughter were found talking with each other and were threatened. Accordingly, the FIR lodged.

As per the petition, the lady was in love with the petitioner and they went to Delhi on their own as she wanted to marry him. Further, a perusal of the order of learned Sessions Court shows that in her statement recorded under 164 of the Cr.P.C. she stated to be in love with the petitioner.

Learned APP opposes the prayer for bail.

Considering the aforesaid facts that he is in custody since 11.10.2022 (as stated in para-4 of the petition) and do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

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 learned Special Judge, POSCO/Chief Judicial Magistrate, Bhojpur at Ara, in connection with Ara Nagar P.S. Case No. 813 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 appear before the concerned police station every month for next one year to mark his attendance;

(iv) 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 the bail bonds;

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

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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