

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32981 of 2023**

Arising Out of PS. Case No.-170 Year-2023 Thana- CHAPRA TOWN District- Saran

=====

HUSSAIN KHAN Son of Late Hamid Khan Resident of village - Dahiyawan  
(Shia Colony) P.S. - Chapra Town, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Binod Murari Mishra, Advocate  
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

=====

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

2      28-06-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is an accused in connection with  
Chapra Town P.S. Case No. 170 of 2023 registered for the  
offences under sections 363 and 366(A) of the Indian Penal  
Code lodged on 23.02.2023 by the informant, Amit Kumar.

The short FIR has been lodged by the father of the  
victim girl stating that she was missing and further alleged that  
on calling a particular number, the present petitioner informed  
that he has taken away the girl and did not return. Subsequently,  
on the same night the victim girl was recovered and she made  
statement under section 164 of the Cr.P.C. in which she narrated



that she had made the petitioner to gave her mobile and when she returned home and was seen by step mother, she was infuriated and further threatened that she will do her hair cut and will also burn her dresses.

Due to fear, she again left the home and when subsequently the police started calling, she came on her own.

Learned APP for the State opposes the prayer for bail but concedes that the girl in her 164 Cr.P.C. statement has not alleged anything against the petitioner.

Taking into account the aforesaid fact as also that he is in custody since 25.02.2023 (as stated in paragraph 9 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 Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town P.S. Case No. 170 of 2023, 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 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 his 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 the bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Neha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

