

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35963 of 2023

Arising Out of PS. Case No.-270 Year-2021 Thana- JHANJHARPUR District- Madhubani

RAMBILASH RAM Son of Late Saryug Ram @ Baiku Ram Resident of
village - Simra, ward no. 11, P.S. - Jhanjharpur, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-07-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection with Jhanjharpur P.S. Case No.270 of 2021 instituted under Sections 365 and 366 of the Indian Penal Code lodged on 22.12.2021 by the informant Rajendra Prasad Ram.

As per the FIR, the informant alleged that while his wife was sleeping in the room and he was sleeping outside the room at the room. In the morning, when he found his wife missing and it later transpired that Rambilash has abducted her. The informant further alleged that Rambilash was having illicit relationship with his wife, and a bond was signed before the society to this effect in Panchayat. Further, when the informant called on his wife's mobile she disconnected it. Accordingly, the FIR.



Learned counsel for the petitioner submits that no such occurrence took place and due to misunderstanding the present FIR has been lodged. The last submission is that he is in custody since 20.03.2023 (as stated in para-9 of the petition).

Learned APP opposes the prayer.

The matter relates to the disappearance of the wife of the informant (who is a major) along with this petitioner. Though the allegation is of taking her away, considering the aforesaid facts as also that he do not have criminal antecedent and is in custody since 20.03.2023, 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/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Jhanjharpur P.S. Case No.270 of 2021 to the satisfaction of learned A.C.J.M., Ist, Jhanjharpur, subject to 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 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;

(iv) 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.

(Rajiv Roy, J)

Prakash Narayan /-

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