

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36396 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- DUMRA District- Sitamarhi

SARAN MEHTA @ SARANG KUMAR SON OF MOHAN MEHTA @
MAHESH KUMAR MEHROTRA RESIDENT OF VILLAGE- SURSAND
@ SURSAND WEST WARD NO. 15, PS- SURSAND, DISTT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-07-2023 1. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
23.03.2023 in connection with Dumra P.S. Case No. 147/2023,
dated 18.03.2023, for the offences punishable under Sections
363, 366(A), 504, 506 and 34 of the IPC.

3. According to prosecution case, the petitioner along
with other co-accused persons are alleged to have kidnapped the
minor daughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that in fact the
petitioner was in love with the victim and the statement of the



victim was recorded under section 164 Cr.P.C., in which, she has categorically stated that she intend to marry with the petitioner and she has not stated anything about the sexual assault by the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 23.03.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Additional Sessions Judge-VI-cum-Special Judge (POCSO Act), Sitamarhi in connection with Dumra P.S. Case No.147/2023, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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. 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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