

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37660 of 2023

Arising Out of PS. Case No.-559 Year-2022 Thana- RAMNAGAR District- West Champaran

CHANDAN KUMAR SON OF LAKHAN SAH @ LAKHAN SINGH
RESIDENT OF VILLAGE - RAMNAGAR TURHA TOLI, POLICE
STATION - RAMNAGAR, DISTRICT - WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Adv.

For the Opposite Party/s : Mr.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Ramnagar
P.S. Case No. 559 of 2022 registered for the offence under
Sections 363, 366(A), 341, 323, 504 and 506/34 of the Indian
Penal Code.

The minor daughter of the informant is alleged to have
been abducted by the petitioner and other accused persons.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the allegation, as alleged in the F.I.R., is false and fabricated and
the petitioner has not committed any offence. He further submits
that the victim has been recovered and her statement was



recorded under Section 164 Cr.P.C. in which she has not supported the case of prosecution and the medical report also suggest that the petitioner has not committed any sexual assault to the victim. Hence, no case of abduction is made out against the petitioner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 14.03.2023.

Learned A.P.P. for the State on the other hand vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has abducted the minor girl of the petitioner for the purpose of performing marriage with her.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Additional District and Sessions Judge-VII -cum- Special Judge (POCSO) Bettiah, West Champaran in connection with Ramnagar P.S. Case No. 559 of 2022 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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