

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39076 of 2023

Arising Out of PS. Case No.-213 Year-2021 Thana- KOCHAS District- Rohtas

Ravi Ranjan Son of Basant Ram Resident of village - Kochas, ward no. 13,
P.S. - Kochas, Distt. - Rohtas (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 18.01.2023, in connection with Kochas P.S. Case No. 213 of 2021, F.I.R. dated 28.10.2021 registered for the offences punishable under Sections 366A/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 22.10.2021 the accused petitioner is 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 been falsely implicated in the present case. In fact, the petitioner was in love with the victim and it appears from the F.I.R. that the date of occurrence as alleged in the F.I.R. IS 22.10.2021 but the present



F.I.R. was instituted on 28.10.2021 after delay of six days without giving any explanation of delay. 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 as alleged in the F.I.R. and the victim was recovered and her statement under Section 164 of the Cr. P.C. was recorded and in view of the statement of the victim recorded under Section 164 of the Cr. P.C., no case is made out under Section 366 A of the Indian Penal Code. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 18.01.2023.

5. The learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas, Sasaram in connection with Kochas P.S. Case No. 213 of 2021, 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 witness, 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 antecedents, 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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