

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40301 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- ANDHRATHARHI District- Madhubani

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SANDEEP KUMAR RAI Son of Anil Rai R/o Village - Thadi, P.S.-
Andhrathadhi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Namrata Mishra, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-07-2023 Heard Mrs. Namrata Mishra, learned counsel for

the petitioner and learned APP for the State.

The petitioner is an accused in connection with
Andhrathadhi P.S. Case No. 19 of 2023 registered for the
offences under sections 341, 365, 366 and 506 of the Indian
Penal Code lodged on 16.02.2023 by the informant, Manoj
Kumar Jha.

The prosecution case, in brief, is that for last four days
the petitioner, Sandeep Kumar Rai has been threatening him not
to solemnize the marriage of his daughter and also threatened
the groom and his family. It has been alleged that when the



daughter of the informant aged about 20 years was going to attend tuition class on 16.02.2023 around 7 A.M., then the petitioner forcibly made his daughter sit in the car and drove away which was seen by Amod Kumar and Ranjit Kumar, who gave the information. It has been further alleged that threatening call has been received on the mobile number of his wife and the groom through mobile phone. Besides, the informant alleged that he apprehended that his daughter might be sold for sex trade or might be killed. Accordingly, the FIR.

Learned Counsel for the petitioner submits that the lady was major, both of them were in relationship which was not accepted by the family members and thus the FIR.

It is her further submission that though the lady had supported the prosecution, the fact remains that they were in relationship and now the family has forced and subsequently, the marriage of the girl has already been solemnized.

The last submission is that he is in custody since 19.02.2023 (paragraph 14 of the bail application) and do not have criminal antecedent.

Learned APP for the State, on the other hand, opposes the prayer for bail stating that the allegation of kidnapping of the girl/lady is there in the FIR.



Considering the submissions put forward by the Mrs. Mishra as also the fact that he is in custody since 19.02.2023, do not have criminal antecedent and will ultimately face the trial, 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, Madhubani in connection with Andhrathadhi P.S. Case No. 19 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 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;

(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.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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