

Arising Out of PS. Case No.-60 Year-2023 Thana- YADOPUR District- Gopalganj

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr. Dhramveer, Adv.
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

3 17-08-2023 1. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 30.03.2023 seeks bail, in connection with Jadopur P.S. Case No. 60/2023, dated 24.03.2023, for the offences punishable under Sections 366 & 363 of the IPC.

3. According to prosecution case, the daughter of the informant ran away from her house after taking cash and ornaments and no trace was found.

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 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. He further submits that the



petitioner is not named in the F.I.R. The name of the petitioner has been transpired during investigation on the basis of the statement of the victim recorded under Section 161 Cr.P.C. as well as under Section 164 Cr.P.C. He further submits that from bare perusal of the 161 Cr.P.C. as well as 164 Cr.P.C. statement of the victim girl it appears that the petitioner has not committed any wrong with the victim girl and the victim has stated that the petitioner and co-accused have kidnapped her and the co-accused, namely, Lalu Kumar @ Laloo Kumar, against whom there is similar allegation has been granted bail by a co-ordinate Bench of this Court vide order dated 21.07.2023 passed in Cr. Misc. No.42796/2023. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 30.03.2023.

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 Sri Shambhu Kumar Gupta, J.M.1st Class, Gopalganj in connection with Jadopur P.S. Case No.60/2023, 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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