

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43354 of 2023**

Arising Out of PS. Case No.-116 Year-2023 Thana- KOCHAS District- Rohtas

AKSHAY KUMAR Son of Upendra Singh Resident of village - Chatra, P.S.-
Kochas, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 21-08-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 03.04.2023 seeks
bail, in connection with Kochas P.S. Case No.116/2023, dated
30.03.2023, for the offences punishable under Sections 363,
366(A) of the IPC.

3. According to prosecution case, the petitioner is
alleged to have abducted the sister 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 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 in fact the petitioner was in love with the



victim and the victim has left her parental house on her own sweet will and victim was recovered and her statement under Section 164 Cr.P.C. was recorded in which she has categorically stated that she has left her parental house on her own sweet will and the petitioner has not committed any wrong with her. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 03.04.2023.

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 A.C.J.M.-1st Class, Rohtas at Sasaram in connection with Kochas P.S. Case No.116/2023, 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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