

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54502 of 2023**

Arising Out of PS. Case No.-71 Year-2022 Thana- CHAPRA TOWN District- Saran

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PRADEEP PANDEY @ PRADEEP KUMAR PANDEY SON OF  
HARENDRA PANDEY RESIDENCE OF VILLAGE -REVATITH, PS-  
BAIKUNTHPUR, DISTT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sushil Kumar, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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

3      25-09-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since  
03.08.2022 in connection with Saran Town P.S. Case No. 71 of  
2022, F.I.R. dated 01.02.2022 for the offences punishable under  
Sections 363 and 366(A) of the Indian Penal Code.

3. According to prosecution case, the informant alleges  
that her daughter went to the college with Hasina Khatoon and did  
not returned. The informant further alleges that Hasina Khatoon  
has kidnapped her daughter along with others.

4. Learned counsel for the petitioner submits that  
petitioner has clean antecedent and he has falsely been implicated  
in the present case. He further submits that the allegation as  
alleged is false and fabricated and petitioner has not committed



any offence as alleged in the FIR, in fact, the petitioner is brother of the co-accused namely Deepak Kumar Pandey who was in love with the sister of the informant and the victim and his brother was recovered from Punjab, and thereafter, the statement of the victim was recorded in Para 90 of the case diary in which she disclosed the name of the petitioner and other co-accused persons. He further submits that from the bare perusal of the FIR, it appears that the FIR is against unknown and there is nothing against the petitioner except that the petitioner is the brother of the co-accused namely Deepak Kumar Pandey. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 03.08.2022.

5. The learned Additional Public Prosecutor for the State 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 Sessions Judge, Saran at Chapra in connection with Chhapra Town P.S. Case No. 71 of 2022, 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)**

Adnan/-

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