

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46787 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- ALINAGAR District- Darbhanga

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PRADEEP KUMAR SADA @ LALU S/O RAM PRASAD SADA R/O
Village- Ahirain, P.S- Ghanshyampur, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 13-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 08.04.2023, in connection with Alinagar P.S. Case No. 31 of 2023, F.I.R. dated 26.03.2023 registered for the offences punishable under Sections 366A/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he along with other co-accused persons kidnapped the minor daughter of the informant with an intention to marry with her.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case merely on the basis of suspicion. He further submits that the informant is not an eye witness of the alleged occurrence and even no one has seen the occurrence.



He further submits that except suspicion, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 08.04.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Benipur, Darbhanga, Bihar in connection with Alinagar P.S. Case No. 31 of 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 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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