

Arising Out of PS. Case No.-192 Year-2023 Thana- DHANARUA District- Patna

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... .. Petitioner/s

## Versus

## THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.

Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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

2 08-08-2023

1. Heard Mr. Krishna Prasad Singh, learned senior counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 09.05.2023 seeks bail, in connection with Dhanarua P.S. Case No.192/2023, dated 18.04.2023, for the offences punishable under Sections 363, 365/34 of the IPC.

3. According to prosecution case, the petitioner is alleged to have abducted the daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner 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 alleged date of occurrence is 13.04.2023 but the present F.I.R. has been instituted on 18.04.2023 after delay of five days without any explanation of delay. He further submits that in fact the petitioner was in love with the victim girl and the petitioner has solemnized his marriage with the victim and the victim girl was recovered and her statement under Section 164 Cr.P.C. was recorded in which she has categorically stated that she has performed marriage with the petitioner and the petitioner is in custody since 09.05.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has carried one criminal antecedent other than the present one in which he is on bail.

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 Lalan Kumar Rajak, J.M. 1<sup>st</sup> Class, Masaurhi, Patna in connection with Dhanarua P.S. Case No.192/2023, 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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