

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53042 of 2023

Arising Out of PS. Case No.-361 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

SURENDRA RAM S/O LATE ANANDI RAM RESIDENT OF VILLAGE
MAHISAUR PS JANDAHA DISTRICT VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh, Adv.

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-08-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 02.06.2023 seeks
bail, in connection with Patory (Mohanpur O.P.) P.S. Case No.
361/2023, dated 31.05.2023, for the offences punishable under
Sections 363,365 of the IPC.

3. According to prosecution case, the petitioner is
alleged to have abducted the son of the informant namely Vivek
Kumar, while he went to market to fetch vegetables.

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 son of the informant was in love with the daughter of the petitioner and they have performed the marriage at Radha Krishna Temple at Sonapur on 15.05.2023 and the marriage was performed by the son of the informant without wish of his father, so, the informant has filed the present false and fabricated case against the petitioner and other co-accused persons. Thereafter the daughter of the petitioner has filed Complaint Case No. 1186/2023 against the family members of the informant. The petitioner is in custody since 02.06.2023.

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 J.M.1st Class, Samastipur in connection with Patory (Mohanpur O.P.) P.S. Case No. 361/2023, 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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