

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57091 of 2022

Arising Out of PS. Case No.-61 Year-2021 Thana- KHIRI MORE District- Patna

Goutam Kumar @ Gautam Kumar Son of Tapeswar Yadav @ Tapeswar Prasad Resident of Village - Goshganj, P.s.- Khiri More, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-01-2023 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner apprehends his arrest in connection with Khiri More P.S. Case No.61 of 2021 instituted under Sections 363,366(A)/34 of the Indian Penal Code.

As per the prosecution story, the informant alleged that his minor daughter left the house in the night but did not return and further came to know that the co-villager, Om Prakash Yadav with the help of some of his associates took her away.

The girl was subsequently recovered and she made statement under Section 164 of the Cr.P.C. narrating the story that from the home, she went to Gaya on a Scorpio along with Om Prakash Yadav and then from Gaya station to Gujarat where she stayed for one month and as the police came, she returned to



Patna.

So far as the petitioner is concerned, it is alleged that subsequently during investigation, it came to light that he was the person who drove the Scorpio from the petitioner's house to Gaya Railway Station.

Considering the fact that the girl went with Om Prakash, has not alleged anything wrong, subsequently returned, the petitioner is only 19 years old and he will be cooperating in the investigation and would ultimately face the trial, this Court is inclined to grant him privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Khiri More P.S. Case No.61 of 2021 to the satisfaction of learned Judicial Magistrate, Ist Class, Danapur, Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner will make himself available to the police as and when required in course of investigation;

(iii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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