

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56686 of 2023**

Arising Out of PS. Case No.-142 Year-2022 Thana- NAYA RAM NAGAR District- Munger

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ALOK KUMAR SON OF SANOJ RAM RESIDENT OF VILLAGE-
SINGHIYA PS- NAYA RAM NAGAR, DISTT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avinash, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-08-2023 Heard the parties.

The petitioner is an accused in connection with Naya Ramnagar (Safia Sarai O.P.) P.S. Case No. 142 of 2022 registered for the offences under sections 366(A) and 34 of the Indian Penal Code lodged on 02.08.2022 by the informant, Kaushal Kumar.

As per the prosecution story, the allegation is that the accused persons taking away informant's minor daughter to Mumbai and named them as Md. Vicky, Md. Tahir, Mehar and Md. Rabbani as they were found in the CCTV footage. Accordingly, the FIR.

Subsequently, the victim girl was recovered from Mumbai, Maharashtra and in her statement, she narrated her



ordeal supporting the prosecution story and stated that this petitioner, a residence of Mumbai had come and told that she will be sold.

Learned Counsel for the petitioner submits with the help of paragraph 10 of the petition that he is next door neighbour of the informant, still the girl despite knowing her, has stated that one Alok, residence of Mumbai has threatened to sell her. He submits that in any case, the kidnapping is attributed to four named persons, as stated above, he do not have criminal antecedent and the moment he came to know about his implication, he himself surrendered on 09.06.2023 (as stated in paragraph 11 of the bail application).

Learned APP for the State, on the other hand, opposes the prayer for bail stating that his name has come in the statement of the victim girl.

Considering the facts on record, admittedly, four named accused persons took the victim girl to Mumbai, the allegation has come that he had once visited the place, upon knowledge, he himself surrendered, is in custody since 09.06.2023, do not have criminal antecedent, FIR lodged and will be facing the trial, this Court is inclined to extend him privilege of bail.



Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Exclusive Special Judge (POCSO Act)-cum-Additional sessions Judge-VI, Munger in connection with Naya Ramnagar P.S. Case No. 142 of 2022, subject to the following conditions:-

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

(ii) 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 bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(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 his 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.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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