

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60373 of 2022

Arising Out of PS. Case No.-330 Year-2022 Thana- AMARPUR District- Banka

Chandan Singh @ Chandan Kumar Singh Son of Late Ramakant Singh
Resident of - Kenuhat, P.S.- Laxmipur, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhimanyu Deo, Advocate
For the Opposite Party/s	:	Mrs. Pushpa Sinha, A.P.P.
For the Informant	:	Mr. Rahul Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 03-04-2023 Heard learned counsel for the petitioner, learned counsel appearing on behalf of the informant and learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 363, 366A and 34 of the Indian Penal Code and later on Section 4 of the POCSO Act has also been added.

Allegation against the petitioner as per F.I.R. is that on 18.04.2022, petitioner kidnapped the daughter of the informant namely, Moni Kumari aged about 16 years for the purpose of marriage.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that in view of the medical report of the victim girl no case is made out under Section 363, 366A of the Indian Penal Code and Section 4 of the POCSO Act. He further submits that the statement of the victim girl which was recorded under Section 164 of Cr.P.C. in which she has not stated that the petitioner has not committed anything wrong against the victim. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 25.06.2022

The learned counsel appearing on behalf of the informant and learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioner.

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 Court below where the case is pending in connection with Amarpur P.S. Case No. 330 of 2022, 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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