

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 56619 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- PARAIYA District- Gaya

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1. Pandit Kumar S/O Late Kameshwar Bind Resident of Village- Ramdih, P.S.- Paraiya, District- Gaya.
 2. Ganga Devi W/O Late Kameshwar Bind Resident of Village- Ramdih, P.S.- Paraiya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 15-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with
Paraiya P.S. Case No. 8 of 2022 lodged under Sections 366/34
of the I.P.C.

As per the prosecution case, the allegation of
kidnapping is there in the F.I.R. against petitioner to the
daughter of the informant.

Learned counsel for the petitioners submit that the
entire allegation made in the F.I.R. is not correct and is false,

due to the reason that the statement of alleged victim has been recorded under Section 164 of the Cr.P.C. Allegations made in the F.I.R. have not been accepted by the alleged victim and she has categorically submitted that she herself went with the petitioner and no force has applied on her and she is living happily with one Arun Kumar.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gaya in connection with Paraiya P.S. Case No. 8 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall

file affidavit before the court about his relationship with the petitioners.

C. The petitioners shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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