

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57975 of 2022

Arising Out of PS. Case No.-96 Year-2021 Thana- PUNAURA District- Sitamarhi

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Dipu Kumar Son of Lalbabu Ram R/V- Govind Phandah, P.S- Punaura, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 363 and 366(A) of the Indian Penal Code.

The prosecution case, in short, is that on 08.06.2021, accused persons including the petitioner are alleged to have kidnapped the minor daughter of the informant aged about 14 years due to previous enmity.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation. He further



submits that the victim girl was recovered and her statement was recorded under Section 164 of the Cr. P.C. in which she has not stated anything about the petitioner. He further submits that co-accused persons who are named in the F.I.R. have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 28.06.2022 passed in Cr. Misc. No. 55827 of 2021 (Kanti Devi and others Vs. The State of Bihar) and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 06.09.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Punaura P.S. Case No. 96 of 2021, with 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 witness, 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 antecedents, 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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