

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64489 of 2023

Arising Out of PS. Case No.-328 Year-2022 Thana- PIRO District- Bhojpur

Arvind Kumar @ Rekha Kumar S/o- Lakshman Ram Village- Lahri Tiwaridih
Ps- Piro Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Piro P.S. Case No.328 of 2022 lodged, on 19.06.2022, under
Section 366A of the I.P.C.

3. As per the prosecution case, the allegation against
the petitioner that he has kidnapped the daughter of the
informant with a view to marry.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. Counsel submits that antecedent of the petitioner is clean.
He is in custody since 20.07.2023. Counsel for the petitioner
further submits that the alleged victim has been recovered, who
has narrated before the Magistrate, under Section 164 Cr.P.C.,



that she solemnized marriage with the petitioner. Learned Magistrate has ascertained her age in between 17 to 18 years. This fact has already come in the rejection order passed by Additional Sessions Judge-XIII, Bhojpur at Ara.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Smt. Sonal Vishwash, learned Judicial Magistrate, 1st Class, Bhojpur at Ara, in connection with Piro P.S. Case No.328/2022, 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;



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

(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.

(Dr. Anshuman, J)

Mkr./-

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