

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66318 of 2023

Arising Out of PS. Case No.-390 Year-2022 Thana- RIGA District- Sitamarhi

=====

Riket Rai @ Ram Riket Kumar @ Ram Rikesh Kumar Son Of Jai Ram Rai
Resident Of Village - Anhari, P.S. - Riga, District - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate
For the State : Mr. Satyendra Narayan Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Riga P.S. Case No. 390 of 2022, lodged on 07.09.2022 under
Sections 366(A)/34 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against five named accused persons including the present
petitioner against whom there is allegation of kidnapping of the
grand daughter of the informant.

4. Learned counsel for the petitioner submits that the
allegation of kidnapping is absolutely false. Learned counsel
submits that the alleged victim has been recovered and her
statement under Section 164 Cr.P.C. has been taken place by the
learned Magistrate wherein, she has completely denied the



allegation and disclosed that with her own sweet will, she entered into marriage with the petitioner and presently she is in the remand room. Learned counsel submits that the charge sheet has already been submitted in this case and continuing the petitioner in jail shall not solve any purpose. Petitioner is ready to face the trial. He further submits that the antecedent of the petitioner is clean and he is in custody since 07.05.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that from the order of rejection of bail of the petitioner by the learned Additional District and Sessions Judge-cum-Special Court, Sitamarhi, it transpires that the argument of the petitioner on the points of under Section 164 Cr.P.C. is correct.

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 learned Additional District and Sessions Judge-VI-cum-Special Judge (POCSO Act), Sitamarhi in connection with Ragi P.S. Case No. 390 of 2022, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as 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.)

Divyansh/-

U		T	
---	--	---	--

