

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62825 of 2022

Arising Out of PS. Case No.-180 Year-2022 Thana- ITARHI District- Buxar

Amarnath Kumar Ram Son of Jatadhari Ram, R/o Village- Atrwana, P.S.-
Itarhi, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha, Advocate

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 366(A), 504, 506, 34 of the
Indian Penal Code.

According to prosecution case, one Janak Bhar gave a
written report to the police and alleging therein that on
10.06.2022 his daughter Anita Kumari aged 17 years went to
join coaching class at Itarhi but she did not return in the evening
then a search was made but in vain, then it is said that he came
to know that his co-villager Amarnath Kumar Ram has abducted
his daughter. It is further alleged that when complaint was made
to his family, they abused and threatened to lodge case under
SC/ST Act.



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 as per alleging as alleged in the F.I.R. is that the petitioner has abducted the daughter of the informant. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the victim girl was recovered and her statement was recorded under Section 164 Cr.P.C. in which she has categorically stated that she has gone to the Lucknow on her own sweet will and the petitioner was not abducted the victim and she has not alleged any sexual assault against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 22.06.2022.

The learned Additional Public Prosecutor for the State has 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 Itarhi P.S. Case No. 180 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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