

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 64797 of 2023**

Arising Out of PS. Case No.-287 Year-2023 Thana- SAUR BAZAR District- Saharsa

SINTU KUMAR S/O UMESH MANDAL RESIDENT OF VILLAGE-  
KANP, GORABGARH, P.S- SOUR BAZAR, DISTT.- SAHARSA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rashmi Jha, Adv

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, Adv

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      20-12-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
Sour Bazar P.S. Case No. 287 of 2023 registered on 28.05.2023  
lodged under Sections 363 and 366 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged  
against the present petitioner with allegation that he had  
kidnapped the daughter of the informant with a view to marry.

4. Counsel further submits that petitioner is innocent  
and has committed no offence. He further submits that petitioner  
is in custody since 28.05.2023 having clean antecedent.

5. Counsel further submits that the alleged victim has  
been recovered and just after recovery she narrated the  
statement under Section 161 of Cr.P.C. He further submits that



in the rejection order it has been acknowledged that statement under section 164 of the Cr.P.C. is same like that the Statement under Section 161 of the Cr.P.C. The F.I.R. itself has been lodged after the delay of about four months eighteen days. Counsel further submits that in the medical examination the victim girl has been found 19-20 years.

6. Learned counsel for the State opposes the prayer for bail and submits that it is the allegation of marriage after eloping the girl is there. Marksheet of Bihar State Examination Board indicating the date of birth of the victim girl is also attached in the case diary.

7. 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 S.D.J.M., Saharsha in connection with Sour Bazar P.S. Case No. 287 of 2023 subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(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.

8. With this observation, the bail application stands allowed.

**(Dr. Anshuman, J)**

Sunnykr/-

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