

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64495 of 2023

Arising Out of PS. Case No.-137 Year-2018 Thana- BHELDI District- Saran

Rupesh Kumar Rai @ Rupesh Rai Son Of Late Shivdhar Rai Village-
Pachlakh Markatwa, Ps- Parsa, Distt- Saran At Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rajani Kumari, Advocate

For the Opposite Party/s : Mr. Manoj 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
Bhaldi P.S. Case No. 137 of 2018 lodged on 06.05.2018 under
Sections 363/366A of the I.P.C.

3. As per the prosecution case, there is allegation of
kidnapping of the daughter of the informant with a view to
marry.

4. Learned counsel for the petitioner submits that the
entire criminal case is false as the alleged victim has been
recovered and after recovery she has adduced her evidence. She
has narrated her statement under Section 164 Cr.P.C. before the
learned Magistrate and before the Court she disclosed her age as
22 years and informed that she has solemnized marriage with



the petitioner and with the wedlock of the petitioner she has two kids and presently she is living in her Sasural. Counsel for the petitioner submits that antecedent of the petitioner is clean. He is in custody since 23.04.2023.

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 learned Judicial Magistrate, 1st Class, Saran at Chapra, in connection with Bheldi P.S. Case No.137/2018, 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)

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