

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69538 of 2023

Arising Out of PS. Case No.-402 Year-2022 Thana- BYPASS District- Patna

Suraj Kumar Son Of Kundan Prasad Gupta Resident Of Village - Mauja
Bigha, (Chuavar), P.S. - Imamganj, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bypass P.S. Case No. 402 of 2022, lodged on 20.09.2022, under
Section 366A/34 of the I.P.C.

3. As per the prosecution case, FIR has been lodged
against three named accused persons including the petitioner.
Allegation against the petitioner is that he along with other co-
accused persons kidnapped the minor daughter of the informant
with a view to marry.

4. Learned counsel for the petitioner submits that FIR
has been lodged only on the basis of suspicion against the
petitioner and his family members. Counsel for the petitioner
submits that allegation of kidnapping is there in the FIR on the



basis of suspicion only. Counsel submits that the alleged victim is major and due to love between the petitioner and the informant's daughter they entered into marriage and from the petitioner the alleged victim has one child also. Counsel submits that from Annexure-4, it transpires that the victim is major and her date of birth is 08.05.2004 but after lodging of the FIR on 20.09.2022 the date of birth has been corrected on 08.10.2022 as 08.05.2007. Counsel further submits that the victim is at present in the Remand room with his new born baby. The antecedent of the petitioner is clean. He is in custody since 06.03.2023.

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 A.C.J.M.,VI, Patna City, Patna, in connection with Bypass P.S. Case No.402/2022, 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)

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