

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70969 of 2023

Arising Out of PS. Case No.-504 Year-2023 Thana- BIHAR District- Nalanda

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Rohit Kumar Son Of Dewki Ravidas @ Devki Ram Resident Of Village Near
Dewki Mandap, Sarowar Nagar, Ps Sukhdew Nagar, Distt - Ranchi
(Jharkhand)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Jha, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Bihar P.S. Case No.504 of 2023, lodged on 03.06.2023, under
Section 366A of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against the present petitioner along with his family
members. As per the FIR, allegation of apprehension of
kidnapping the victim girl is against the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the alleged victim has been recovered and in her statement
under Section 164 Cr.P.C. she has not accepted the factum of



kidnapping. In the order sheet of rejection, observation is there by the Court that the victim has accepted to meet with the petitioner and developed physical relation with him. Counsel further submits that the victim girl has returned back and presently living with the family members. Counsel submits that antecedent of the petitioner is clean and he is in custody since 06.06.2023.

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 **only after framing of the charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif, in connection with Bihar P.S. Case No.504 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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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