

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75105 of 2022

Arising Out of PS. Case No.-37 Year-2014 Thana- SANGRAMPUR District- East
Champaran

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DINESH RAM Son of Late Ramdeni Ram Resident of Village- Sagar, P.S.-
Pipra, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-07-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for

the offence under Sections 366(A) and 34 of the Indian Penal

Code.

The daughter of the informant is said to have been

kidnapped by the petitioner and others for the purpose of

marriage.

Learned counsel appearing for the petitioner

submits that the petitioner is innocent and has falsely been

implicated in this case. He further submits that the

allegation, as alleged in the F.I.R., is false and fabricated and

the petitioner has not committed any offence. He further



submits that the accused, Rajesh Ram was in love affair with the victim and both of them have filed application for their marriage in the District Registry Office which was objected by the father of the victim and the accused, Rajesh Ram wanted to get marry with the victim on account thereof petitioner has been made accused in this case. He further submits that the victim has been examined during trial and the victim has not stated about any overt act committed by the petitioner even she has not been identified by the victim. He further submits that in light of the statement of victim, no case is made out under Section 366A of the Indian Penal Code against the petitioner. The petitioner is rotting in judicial custody since 02.09.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Judicial Magistrate, 1st Class, Motihari, East Champaran in connection with Sangrampur P.S. Case No. 37



of 2014 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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