

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7587 of 2023**

Arising Out of PS. Case No.-12 Year-2011 Thana- GHANSHYAMPUR District- Darbhanga

NAVIN KUMAR SINGH @ NAVIN SINGH @ NAVIN KUMAR SON OF
LATE BIRENDRA SINGH R/O VILLAGE- RAMPATTI, P.S.- PARIHAR,
DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Rai, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 21-07-2023 1. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
19.11.2021 in connection with Ghanshyampur P.S. Case No.
12/2011, dated 31.01.2011, for the offences punishable under
Sections 363, 366(A) of the IPC.

3. According to prosecution case, the petitioner along
with other co-accused persons are alleged to have kidnapped the
daughter of the informant with intention to solemnize her
marriage.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present 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 as alleged in the F.I.R. He further submits that the trial has begun and altogether six prosecution witnesses have already been examined out of twelve prosecution witnesses and from bare perusal of the deposition of the informant, namely, Manoj Kumar Singh, it appears that he has not supported the case of prosecution. He further submits that in view of the deposition of the informant in the present case and as per report of the learned trial court that out of 12 prosecution witnesses only 6 witnesses have been examined, the trial is not likely to be concluded in near future and the petitioner is in custody since 19.11.2021.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and period of custody, let the petitioner, above named, 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 the learned Additional Sessions Judge, I, Darbhanga in connection with Ghanshyampur P.S. Case No.12/2011, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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