

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.253 of 2023

Arising Out of PS. Case No.-51 Year-2022 Thana- MANSURCHAK District- Begusarai

Ajeet Kumar Son of Sukhdeo Mahto R/v- Hawaspur, P.S.- Mansurchak,
District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Maharaj, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
09.06.2022 in connection with Mansurchak P.S. Case No. 51 of
2022, F.I.R. dated 08.06.2022 for the offences punishable under
Sections 363/366(a) of the Indian Penal Code.

According to prosecution case, the petitioner along
with his family members has kidnapped the daughter of the
informant for the purpose of marriage when she went to
purchase book from the market.

Learned counsel for the petitioner submits that



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 fabricate and the petitioner has not committed any offence as alleged in the F.I.R. and in fact, the petitioner and the victim was in love and they have performed marriage on 09.05.2022. He further submits that the victim was recovered and her statement was recorded under Section 164 of the Cr.P.C. in which she has categorically stated that she has performed the marriage with the petitioner and the petitioner has not abducted her. He further submits that the medical report of the victim also suggests that her age is between 17 to 18 years. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 09.06.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 Judicial Magistrate 1st Class, Begusarai in connection with Mansurchak P.S. Case No. 51 of 2022, 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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