

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9086 of 2024

Arising Out of PS. Case No.-586 Year-2022 Thana- MAHUA District- Vaishali

Devendra Ray @ Devendra Nath Yadav S/O Late Lal Dev Rai R/O Village-
Sharma, P.S- Mahua, Distt.- Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mahua P.S. Case No. 586 of 2022 lodged under Sections 363,
366A/34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against five named accused persons including the
petitioner against whom there is allegation that they have
kidnapped the daughter of informant and there is apprehension
that they may sale the daughter of the informant.

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 of the Cr.P.C., she has not alleged anything



against the present petition. She has narrated that by her choice, she went to Patna and residing in rental house.

5. Counsel submits that petitioner is the petitioner is the father of the person with whom daughter of the informant was alleged to be in love affair.

6. Counsel for the petitioner submits that petitioner is in custody since 05.12.2023 and there is one criminal case pending against the petitioner in which he is on bail. He also submits that the other three co-accused have been granted bail by the Co-ordinate Bench of this Court vide order dated 07.02.2024 passed in Cr. Misc. No. 3354/2024.

7. Learned counsel for the State opposes the prayer for bail.

8. 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 C.J.M. Vaishali at Hajipur in connection with Mahua P.S. Case No. 586 of 2022, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. 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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