

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17976 of 2024

Arising Out of PS. Case No.-359 Year-2022 Thana- AMNAUR District- Saran

Nitesh Ram @ Nitesh Kumar Das Son of Birendra Ram Resident of Village-
Dharhara Khurd Mathiya, P.S.- Amnour, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-03-2024 Heard Mr. Rajeev Ranjan, learned counsel for the

petitioner and Ms. Asha Devi, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Amnour P.S. Case No. 359 of 2022, F.I.R. dated 10.12.2022 for the offences punishable under Sections 363 and 366A of the Indian Penal Code.

3. According to prosecution case, this petitioner enticed the daughter of the informant on the pretext of marriage.

4. 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 fabricated and the petitioner has not committed any offences as alleged in the



F.I.R. 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 not supported the case of the prosecution.

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

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Chief Judicial Magistrate 8th, Saran at Chapra in connection with Amnour P.S. Case No. 359 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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.

ii. 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.

iii. 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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