

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45831 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- AMAUR District- Purnia

Md. Massom son of Bahruddin Village- Kakanahwa Ps- Baisi Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 18-09-2024 Heard Mr. Vikram Singh, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with
Amour P.S. Case No. 42 of 2024 for the offence punishable
under sections 363, 366(A), 504, 506 and 34 of the Indian Penal
Code lodged on 23.01.2024 by the informant, Serun.

3. As per the prosecution story, the informant alleged
that the victim had gone to attend the nature's call when the
petitioner along with others kidnapped her.

4. Learned counsel for the petitioner submits that they
were in a relationship, she went on her own but later under the
pressure of family gave statement under Section 164 Cr.P.C. that
he had taken her away for selling purposes to Nepal. He submits
that neither beating nor rape has been alleged against the



petitioner.

5. Learned APP opposes the prayer for bail submitting that the girl has made allegation against the petitioner.

6. Considering the submissions as also the fact that he has remained in custody since 18.02.2024, charge-sheet has been submitted and the learned counsel for the petitioner on instruction submits that he will be diligently appearing in trial and the petitioner do not have criminal antecedent, no allegation of rape has been alleged against him, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Amour P.S. Case No. 42 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(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 his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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