

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42862 of 2024

Arising Out of PS. Case No.-951 Year-2023 Thana- ALAMGANJ District- Patna

Vikram Kumar S/O Binod Ram R/O Village- Majhouliya, Barhanda, P.S-
Minapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Mohammad Parvez S/O Late Md. Idris R/O Alamganj, Narakat Ghat, P.S-
Alamganj, Patna. 800007, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash Dwivedi, Advocate
For the State : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 26-10-2024 Heard Mr. Ravi Prakash Dwivedi, learned counsel
for the petitioner and Mr. Nitya Nand Tiwary, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Alamganj P.S. Case No. 951 of 2023, F.I.R.
dated 10.10.2023 for the offences punishable under Sections
363 and 365 of the Indian Penal Code.

3. According to prosecution case, the petitioner is
said to have kidnapped the victim girls.

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 FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that statement of the victims was recorded under Section 164 Cr.P.C. in which they have categorically stated that both of them had asked for job from the petitioner and petitioner has not committed anything wrong with them. He further submits that in view of the statement of the victim recorded under Section 164 Cr.P.C. no case is made out against the petitioner under Section 363 of the Indian Penal Code.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that petitioner is named in the FIR but fairly submits that victims have not stated anything about the petitioner that the petitioner has committed anything wrong with them.

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 A.C.J.M. IV, Patna City in connection with Alamganj P.S. Case



No. 951 of 2023, 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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