

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46502 of 2024

Arising Out of PS. Case No.-206 Year-2023 Thana- SALIMPUR District- Patna

Pintu Kumar Son of Lakhendra Das R/O Village- Rupas Maruahi, P.S.-
Salimpur, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 18-09-2024 Heard Ms. Kumari Pallavi, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Salimpur P.S. Case No. 206 of 2023 for the offence punishable under Sections 363, 365/34 of the Indian Penal Code lodged on 20.09.2023 by the informant, Moti Das.

3. As per the prosecution story, the informant alleged that her daughter was taken away by this petitioner with the help of his family members. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the alleged occurrence is on 16.09.2023 while the FIR was lodged on 20.09.2023. Further, the girl went on her own and solemnized marriage with the petitioner and now they have been blessed with a male child. The last submission is that he do not



have criminal antecedent, he is 22 years old boy and is in custody since 11.4.2024 (para-20 of the petition).

5. Learned APP opposes the prayer though concedes that the girl in her section 164 Cr.P.C. statement has not alleged anything wrong against this petitioner.

6. This Court has gone through the section 164 Cr.P.C. statement which has come pursuant to the order passed by the coordinate bench on 10.04.2024, according to which, the girl was pregnant and as such solemnized marriage at Himachal Pradesh. They are now blessed with a male child and when she was called upon by the police, came back. She further wanted to live with this petitioner.

7. Taking into account the aforesaid facts as also that the FIR is there, consequences will also be there, for the present, this Court is considering the bail application, has not criminal antecedent, is a young boy, is in custody since 11.4.2024 and the girl has not alleged anything wrong against him, this Court is inclined to extend him the privilege of bail.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned J.M.-1st Class, Barh, Patna, in connection with Salimpur P.S. Case No. 206 of



2023 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 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 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;

(iv) 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)

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