

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46632 of 2024

Arising Out of PS. Case No.-393 Year-2023 Thana- UCHKAGAON District- Gopalganj

Yuvraj Kumar Son of Raj Kishore Ram Resident of village- Safi Tola, P.S.
Uchagaon, District- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmveer Jha, Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-11-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Uchkagaon P.S. Case No. of 393 of 2023, for the offence under Section 366(A) of the Indian Penal Code lodged on 03.10.2023 by the informant, Dudhnath Singh.

3. As per the prosecution story, the informant alleged that when his wife along with minor daughter was going on the road, a Mahindra Bolero vehicle came, stopped and the girl was pushed inside it and taken away. Later, it transpired that this petitioner along with his associates has kidnapped his daughter. Accordingly, the F.I.R.

4. Subsequently, the girl returned and she made statement under Section 164 of the Cr.P.C. in which, she has alleged that on the point of gun, she was forced to sit inside the



car and taken to Assam. She has further alleged that Akash Baitha wanted to marry her and threatened to kill her. She further alleges that she had made a video of the kidnapping and upon knowledge, he snatched her mobile.

5. It is a case of the petitioner that he is not named in the FIR, it is specific against Akash Baitha that he wanted to marry the girl, whatever allegation has come it is against him, he being his friend, stands implicated. If granted relief, he shall desist from doing all such alleged things and will be diligently appear in the trial.

6. Learned APP opposes the prayer submitting that subsequently his name has come.

7. Though the allegation is there, fact of the case is that it was the Akash Baitha who wanted to marry the girl, he was granted relief after going into custody, the name of the petitioner has come in the later part of the stage, has no criminal antecedent, is a young boy, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the



satisfaction of learned A.C.J.M.-IX, Gopalganj in connection with Uchkagaon P.S. Case No. 393 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with 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 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 bail bonds.

(Rajiv Roy, J)

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