

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51058 of 2024

Arising Out of PS. Case No.-36 Year-2024 Thana- LAUKARIA District- West Champaran

Deepak Soni Son Of Madho Sahani @ Madho Soni @ Madho Lal Soni @
Madho Sah R/O- Ratanwa (MOTIHARI), P.S.- Fenhara, Distt.- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate
For the State : Md. Iftekhhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 21-10-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Laukariya P.S. Case No. 36 of 2024 for the offences punishable under Section 366-A and 34 of the Indian Penal Code, lodged on 18.04.2024 by the informant, Sita Devi.

3. As per the prosecution story, the informant alleged that while they were in their shop the minor daughter went away along with this petitioner as they failed to return, the F.I.R.

4. Learned counsel for the petitioner submits that they are cousin the girl insisted to go to Delhi for study purposes and he merely took her to the said place but has been implicated. The girl in her statement under section 164 Cr.P.C. statement has also narrated the same, he is in custody since 05.05.2024



(paragraph no.12 of the petition).

5. Learned counsel for the informant vehemently opposes the prayer for bail submitting that despite being the cousin, he kidnapped the minor sister and in the present society it is objectionable as such, he does not deserve bail.

6. Though, the learned counsel for the informant vehemently opposed the prayer for bail, considering the statement made by the victim girl under section 164 Cr.P.C coupled with the fact that the petitioner is a student, he is in custody since 05.05.2024, this Court is inclined to extend him the privilege of bail.

7. 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 Additional Chief Judicial Magistrate III Bagaha, West Champarabn in connection with Laukariya P.S. Case No. 36 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 *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court 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 now 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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