

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51306 of 2024

Arising Out of PS. Case No.-87 Year-2024 Thana- CHAND District- Kaimur (Bhabua)

Sajiv Tiwari Son of Jitayee Tiwari R/o village - Paura, P.S.- Chand, District -
Kaimur at Bhabua

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Tribhuwan Narayan, Advocate
For the Opposite Party	:	Mr. Madhura Nand Jha, APP
For the Informant	:	Mr. Kumar Sunil, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-08-2024 Heard learned counsel for the petitioner as well as

learned counsel for the informant and learned A.P.P for the

State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Chand P.S. Case
No. 87/2024 dated 21.05.2024 registered for the offence
punishable u/s 363 and 366A of the Indian Penal Code.

3. As per the prosecution case, the petitioner is
alleged to have kidnapped the minor daughter of the
informant for the purpose of marriage.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been



implicated in this case. There was love affair between the petitioner and the victim for two years. As per para. 9 of the bail petition, the statement of the victim u/s 164 of the Cr.P.C. was recorded in which she has stated that she left her house voluntarily and the petitioner did no wrong with her. As per Annexure-2, the victim is not ready for any medical examination and investigation. There is nothing on record which shows that the victim was forced or seduced to have illicit intercourse with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.05.2024.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner by submitting that the victim is a minor girl.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur at Bhabhua



in connection with Chand P.S. Case No. 87/2024, with the condition :-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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