

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56432 of 2024

Arising Out of PS. Case No.-521 Year-2022 Thana- KAHALGAON District- Bhagalpur

Ramu Kumar Thakur @ Ram Kumar Thakur Son Of Vilash Thakur Resident
Of Village - Hadichak Alias Harichak, P.S. - Kahalgaon (ANTICHAK),
District - Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ved Prakash Chandan, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-08-2024 Heard Mr. Ved Prakash Chandan, learned Advocate
for the petitioner and the learned APP for the State.

2. Application for grant of regular bail to the petitioner, who is custody in connection with Kahalgaon P.S. Case No.521 of 2022 giving rise to Sessions Trial No.999 of 2023 registered for the offence punishable under Section 366 of the Indian Penal Code.

3. The allegation against the petitioner is of having enticed away the married daughter of the informant.

4. Learned Advocate for the petitioner contended that the narratives of the FIR clearly suggest that both the petitioner and the victim are major and only on account of the fact that both of them have left their home; on suspicion the present FIR



has been instituted under Section 366 of the Cr.P.C, however, having come to know about the institution of the FIR, the petitioner himself surrendered on 12.09.2023. The FIR also suggest that the daughter of the informant left her house on 05.06.2022 but the present FIR has been instituted on 08.06.2022. During the course of the investigation, the statement of the victim was recorded under Section 164 Cr.P.C. wherein allegation has been levelled against the petitioner that it is the petitioner who has kidnapped her by administering intoxicated material and thereafter he took away her at Gujarat and employed her in a toy factory. Learned Advocate for the petitioner further contended that the charge has already been framed and the evidence is going on. Now the petitioner is in custody since 12.09.2023.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that serious allegation has been levelled against the petitioner that he kidnapped the married daughter of the informant and took her to Gujarat. The trial is going on and the father of the victim has also supported the prosecution case.

6. Regard being had to the submissions made on behalf of the parties and considering the period of custody and



the fact that the charge has already been framed, however, there is no likelihood conclusion of the trial in near future coupled with the undertaking of the petitioner that he will remain present on each and every date of the trial, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-X, Bhagalpur in connection with Kahalgaon P.S. Case No.521 of 2022 corresponding to S.T. No.999 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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