

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77480 of 2023

Arising Out of PS. Case No.-88 Year-2023 Thana- MADHAURAH District- Saran

Bablu Rai Son of Mokhtar Ray @ Mukhtar Rai R/o vill - Baidapur, P.S. -
Marhowrah, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avnish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Marhowrah (Madhaura) P.S. Case No.88 of 2023, lodged on
23.02.2023, under Sections 363/366A/34 of the Indian Penal
Code.

3. As per the prosecution, FIR has been lodged against
five named accused persons including the present petitioner
against whom allegation has been made that kidnapping has
been made with a view to marry with the victim.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is in custody since 14.03.2023 having no criminal
antecedent. Counsel submits that the alleged victim has returned



back to her house and in her statement under Section 164 Cr.P.C. she has clearly narrated that no one had kidnapped her rather she herself went Delhi live there 15-17 days and thereafter returned back to her house. Counsel submits that charge sheet against the petitioner has already been filed in this case.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VII, Saran, Chapra, in connection with Marhowrah (Madhaura) P.S. Case No.88 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member 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 bonds by the Trial Court itself;

(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) The petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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