

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78338 of 2023

Arising Out of PS. Case No.-60 Year-2022 Thana- JANTA BAZAR District- Saran

KAMALDEO GIRI S/O KISHORI GIRI VILLAGE- KATEYAN, PS. JANTA
BAZAR, DIST.SARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alka Panday, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Janta Bazar P.S. Case No. 60/2022 registered under Sections 366(A), 323, 504 and 506/34 of the Indian Penal Code lodged on 20.03.2022 by the informant, Raju Kumar.

As per the prosecution story, the informant has alleged that her two minor daughters 'X' & 'Y' were kidnapped by the accused persons with the purpose of marriage.

Learned counsel for the petitioner submits that he is the father of Anup against whom the girl had made allegation. No role has been attributed to him. He is an aged persons and is ready to cooperate in the case.

Learned APP for the State opposes the prayer for bail



stating that he being the father, his role cannot be ignored

Taking into account the submissions put forward by the parties as also that the victim girl under Section 164 of the Cr.P.C. have made allegation against Anup (son of the petitioner herein) and nothing has been attributed against him, this Court is inclined to grant him privilege of bail.

Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Janta Bazar P.S. Case No. 60 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member 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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark attendance;

(iv) 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 his bail bonds;

(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.

(Rajiv Roy, J)

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