

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82849 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- KANHAULI District- Sitamarhi

Vikram Kumar @ Vikram Kumar Mahto Son of Srinath Mahto Resident of
Village- Kanauli, P.S.- Kanhauli, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-12-2024 Heard Mr. Uday Kumar, learned counsel for the
petitioner the Sate.

2. The petitioner is in custody in connection with
Kanhauli P.S. Case No. 104 of 2024 for the offence punishable
under sections 126, 115(2), 139, 96, 3(5) of the B.N.S. lodged
on 07.08.2024 by the informant, Vinay Mandal.

3. As per the prosecution story, the informant alleged
that his daughter went out for work but failed to return and the
mobile was also switched off. Subsequently, he got information
that she was seen with one Abhishek Kumar as also with Vikram
Kumar (the petitioner herein). As they went to the house of
Vikram Kumar, were abused and left with no alternative, the
FIR.

4. It is the case of the petitioner that both were in



relationship, went to Ghaziabad and were living as husband and wife when they were taken back by the police. Though the girl under the pressure of the family has narrated differently, no sexual act has been alleged against him.

5. Learned APP opposes the prayer for bail submitting that allegation of taking the girl away is on this petitioner.

6. Taking into account the submissions put forward by the parties coupled with the fact that the petitioner is only 20 years of age having no criminal antecedent, is in custody since 04.09.2024 and as submitted by learned counsel for the petitioner, no sexual act has been alleged against him, keeping him in jail for long with criminals will not help in the long run, FIR is there, he shall be facing the music, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Kanhauli P.S. Case No. 104 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/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 bail bond by the Trial Court itself;

(iii) 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 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)

Vijay Singh/-

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