

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.988 of 2024

Arising Out of PS. Case No.-293 Year-2023 Thana- MAKHDUMPUR District- Jehanabad

Prakash Kumar, Son Of Krishnadev Rajak R/O Village- Kalanaur, P.S.-
Makhdumpur (O.P.-Tehta), Dist.- Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj, Adv.

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Makhdumpur (Tehta O.P.) P.S. Case No. 293 of 2023, lodged on
12.04.2023 under Sections 363/366(A)/34 of the Indian Penal
Code.

3. As per the prosecution case, the FIR has been
lodged against four named accused persons including the
present petitioner. The allegation is that they kidnapped the
daughter of the informant with a view to marry.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the alleged victim has been recovered and she
has narrated in her statement under section 164 Cr.P.C. that she



went Rajgir with the petitioner with her own consent and as she got information that her mother and father lodged a case then, she along with the petitioner came at police station and the victim returned to her home and the petitioner went to the jail. Counsel further submits that the antecedent of the petitioner is clean and he is in custody since 13.04.2023.

5. Learned counsel for the petitioner submits that the alleged victim is present today in the Court and by the order of the Court, the public prosecutor talked with the victim and then informed to this Court that everything took place with her consent.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. 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 Additional Sessions Judge-VI-cum-Special Judge (POCSO), Jehanabad in connection with Makhdumpur (Tehta O.P.) P.S. Case No. 293 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the 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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