

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84668 of 2023

Arising Out of PS. Case No.-770 Year-2014 Thana- SITAMARHI District- Sitamarhi

Pintu Rai Son Of Poshan Ray @ Poshan Rai R/O Village- Amghatta, P.S. And
Dist.- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Savitri Devi Wife Of Late Ganor Ram R/O Village- Amghatta, P.S. And
Dist.- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Murari

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 05-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2.The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 363, 366(A)
and 34 of the Indian Penal Code.

3. Allegation against the petitioner along with other
co-accused persons is that they abducted the minor daughter of
the informant for the purpose of wrongdoings. This case relates
to year 2014.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case due to village politics. A



statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 22.05.2022.

5. Earlier, vide order dated 19.03.2024 direction was given to Superintendent of Police, Sitamarhi for the recovery of the victim and regarding that a report has come regarding her recovery dated 01.05.2024. Thereafter, her deposition was recorded before learned trial Court wherein she deposed that petitioner abducted her and took away her to Saharanpur(U.P.) and she was lying unconscious in a temple of Saharanpur where she met one Mukesh Sahni and thereafter she solemnized marriage with him and blessed with a male child out of the said wedlock.

6. Learned counsel for the petitioner submitted that although victim has named the petitioner in abducting her but she has not whispered any complicity of the petitioner in respect of physical assault or physical misbehave with her by him. The case is pending for adducing the evidence and charge has been framed in this case.

7. Learned APP appearing for the state has opposed the prayer of regular bail.

8. Having heard learned counsel for the parties and



considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sitamarhi P.S. Case No. 770 of 2014 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Sitamarhi with following conditions:-

(i) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) If the petitioner tampers with the evidence or threatens the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail-bonds will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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