

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83324 of 2023

Arising Out of PS. Case No.-480 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

Vijay Kumar Son Of Mithilesh Sahani Resident Of Village - Sarawanichak,
P.S. - Bochahan, District - Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Bochahan P.S. Case No.480 of 2023, lodged on 16.09.2023,
under Sections 363/366A/34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
four named accused persons including the present petitioner
against whom there is an allegation that they have kidnapped the
daughter of the informant with a view to sell.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is in custody since 18.09.2023 having no criminal
antecedent. Counsel for the petitioner submits that victim has
been recovered and in her statement under Sections 161 and 164



Cr.P.C. she has categorically alleged that they have forcefully brought the alleged victim with a view to sell and reason has been assigned that due to political rivalry as the uncle of the victim was a candidate of Mukhiya and with a view to create pressure this kidnapping was made. Allegation of outrage the modesty has not been made in the statement under Section 164 Cr.P.C.

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 **three months after framing of the charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Muzaffarpur, in connection with Bochahan P.S. Case No.480 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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