

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11871 of 2024

Arising Out of PS. Case No.-580 Year-2011 Thana- SAHARSA SADAR District- Saharsa

Vijay Ram @ Vijay Kumar Ram @ Vijay Kumar S/O Jitendra Ram Resident
Of Village- Gandhi Path, Buchan Sah Tola, Ward No 4, Ps And District -
Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sanjeev Verma, Advocate
For the State : Mr. Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Saharsa Sadar P.S. Case No. 580 of 2011 instituted for the
offence under Sections 366(A) and 34 of the Indian Penal Code.
Earlier the petitioner's prayer for bail was allowed vide order
dated 07/05/2012, passed in Cr. Misc. No. 13488 of 2012.

3. As per prosecution case, petitioner has abducted
the daughter of the informant by enticing her.

4. Learned counsel for the petitioner submits that
petitioner had filed his representation dated 11-09-2014 and
thereafter in pursuit of livelihood, he had gone outside the State
of Bihar. Thereafter, the learned court below found the



representation of the petitioner not being filed for 5 consecutive dates, hence cancelled his bail bonds on 01-04-2015, whereupon proceedings under Section 82 and 83 of the Cr.P.C. was issued and petitioner was declared absconder. The present case is misuse of privilege of bail. The petitioner remained completely unaware of the developments in the court proceedings, and when he returned to Bihar, he was arrested on 20-07-2023. It is further submitted that from perusal of the FIR, it would manifest that main thrust of accusation is against co-accused Pankaj Kumar Sah and the victim had eloped with him. Petitioner is in custody since 20-07-2023. Petitioner is stated to be man of clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Saharsa Sadar P.S. Case No. 580 of 2011 subject to the following



conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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