

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1248 of 2025

Arising Out of PS. Case No.-20 Year-2009 Thana- CHAKIA District- East Champaran

Shyam Kishor Singh @ Ramkishun Kunwar @ Shyam Kishor Kuwar S/o
Late Rama Kunwar @ Rama Singh Resident of village- Vishunpur Dhir, P.s.-
Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s :	Mr. Dashrath Mehta, APP
For the Informant :	Mr. Prabhat Kumar, Advocate

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

ORAL ORDER

3 10-04-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with Chakia
P.S. Case No. 20 of 2009 instituted for the offences under
Sections 366, 366A, 363 of the Indian Penal Code.

3. Accusation against the petitioner is of kidnapping
victim girl with intention to marry her as also establishing
physical relations with her.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has committed not offence as alleged
in the FIR and has falsely been implicated in the present case.



Learned counsel further submitted that police after due investigation submitted final form against the petitioner vide final report no. 152 of 2009 dated 30.10.2009, however, learned court below differing with the same took cognizance in the matter . Learned counsel for the petitioner submitted that victim in her Statement recorded under Section 164 of the Cr.P.C. has not stated regarding the commission of sexual intercourse by this petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.10.2024 and has five criminal antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has supported the case of the prosecution. Learned APP further referring to paragraph nos. 3,7 and 8 of the case diary submitted that other witnesses have also supported the case of the prosecution.

6. Considering the aforesaid facts and circumstances of the case, police after investigation submitted final form against the petitioner as also the period of custody undergone by 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 Chakia P.S. Case No. 20 of 2009, 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.

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

(Rudra Prakash Mishra, J)

Alok Verma/-

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