

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47282 of 2024

Arising Out of PS. Case No.-640 Year-2023 Thana- PALIGANJ District- Patna

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GAPPU @ MOHIT RAJ @ SULABH KUMAR SON OF ARVIND SINGH
RESIDENT OF VILLAGE - NAGLA, P.S. - KINJAR, DISTRICT - ARWAL

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RADHA DEVI WIFE OF SANOJ KUMAR RESIDENT OF VILLAGE -
NAGLA, P.S. - KINJAR, DISTRICT - ARWAL

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 16-04-2025 Heard Mr. Ashok Kumar, learned counsel for the

petitioner and Mr. Anil Kumar Sinha, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Paliganj P.S. Case No. 640 of 2023, F.I.R. dated
17.12.2023 for the offences punishable under Sections 366 A,
363, 34 of the Indian Penal Code.

3. As per the First Information Report, the informant
alleged that the petitioner along with other co-accused persons
abducted the daughter of the informant.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. The petitioner is the friend of co-accused namely Deepak Kumar. He further submits that pursuant to the direction of this Court vide order dated 23.08.2024, victim girl has been recovered and her statement was recorded under Section 164 of Cr.P.C/ 183 of BNSS in which she has stated that she was in love affair with Deepak Kumar and has performed marriage with him. She did not stated anything about this petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the victim girl in her statement recorded under Section 164 of Cr.P.C/183 of BNSS did not stated anything regarding this petitioner and petitioner has clean antecedent, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Danapur, Patna in connection with Paliganj P.S. Case No. 640 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik



Suraksha Sanhita and with other following conditions:-

- i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court 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 the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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