

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55317 of 2024

Arising Out of PS. Case No.-543 Year-2023 Thana- BARAUNI District- Begusarai

Swagat Raj @ Shambhu son of Late Kailash Rai R/o- Balia Saidpur, Ps-
Lakhminia Dist- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramvilas Singh Late Vishnuedeo Singh R/V- and Post- Bihat, Ward no.22,
Tola Gurudaspur(Shivsthan), PS- Barauni , District- Begusarai, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Chandra, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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

ORAL ORDER

7 08-01-2025 Heard learned counsel for the petitioner and learned
APP for the State. None appears on behalf of the informant
despite notice being validly served upon him. Perused the case
diary.

2. The petitioner seeks bail in connection with Barauni
P.S. Case No. 543 of 2023 instituted for the offences under
Sections 366A, 34 of the Indian Penal Code.

3. Allegation against the petitioner is that he along
with other co-accused persons has kidnapped his daughter with
ulterior motive.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the



present case. Learned counsel further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has specifically stated that she left her house on her own sweet will and this petitioner never forced her to do anything against her will. Learned counsel further submitted that victim has refused her medical examination. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.02.2024 and has no criminal 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, statement of the victim recorded under Section 164 of the Cr.P.C. 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 Barauni P.S. Case No. 543 of 2023, 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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