

# Binod @ Kumud Khalipha vs The State Of Bihar on 3 November, 2022

**Author: Nawneet Kumar Pandey**

**Bench: Nawneet Kumar Pandey**

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.40890 of 2022  
Arising Out of PS. Case No.-12 Year-2018 Thana- MANSI District-  
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BINOD @ KUMUD KHALIPHA Son of Budhu Khalipha Resident of Jai  
Prabha Nagar, ward No. 14 Medai Nagar, P.s.- chautham, District- Khagar

...

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Sinha  
For the Opposite Party/s : Mr.Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY

ORAL ORDER

2 03-11-2022

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within one month.

Heard learned counsel for the petitioner as well as learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Mansi P.S. Case No. 12 of 2018, registered for the offences punishable under Section 366(A)/34 of Indian Penal Code.

Learned counsel for the petitioner has submitted that there is no allegation against the petitioner that he enticed away the married daughter of the informant rather it is against co-accused Dhiraj Kumar. He has submitted further that co-accused Dhiraj Kumar against whom there was allegation of kidnapping has been granted bail vide Cr. Misc. No. 41438 of 2018. He has submitted further that the petitioner has no criminal antecedent of similar Patna High Court CR. MISC. No.40890 of 2022(2) dt.03-11-2022 nature. He was accused in a case under Excise Act i.e. Bausi P.S. Case No. 324 of 2020 in which the petitioner has been granted bail by this Court. The petitioner is under custody since 22.01.2022.

Considering the above-mentioned facts and circumstances, especially the fact that co-accused Dhiraj Kumar against whom there is specific allegation of kidnapping the daughter of the informant has been granted bail by this Court, let the petitioner above-named be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned SDJM Khagaria in connection with Mansi P.S. Case No. 12 of 2018, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J) SONALI/-

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