

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23418 of 2013

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Rahul Singh S/O Sri Late Sanjay Singh Resident Of Village- Ghosbar, P.S.-
Hajipur, District- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA
ORAL ORDER

3 24-12-2013

Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioner, apprehends his arrest in connection with a case registered for the offence punishable under Sections 363, 366(A), 34 of the Indian Penal Code.

The petitioner is one of the named accused in this case with allegation of house trespass at mid-night along with others and taking away informant's minor daughter who in her statement under section 164 of Code of Criminal Procedure, on recovery within few hours, has stated about some role played by the petitioner, and further she was recovered from a room where accused non-petitioner Annu had arrived to take her at different place, but submission is of false implication, in fact, for long period there was some affairs between the victim and Annu, and both had left the place and just to settle the dispute on being traced out the victim was being brought with by Arvind Kumar and Sudhir Kumar who were apprehended by the police while all the three were on road on foot. Further, petitioner carries no criminal antecedent.

If, it is so, having regard to the facts and circumstances of the case, specifically emerging from paragraph 17 of the case diary which is apparently much contrary to the statement recorded under section 164 of the Code of Criminal Procedure, in the event of his arrest/surrender before the court below within four weeks, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, Begusarai, in connection with Begusarai Town P.S. Case No. 175 of 2012**, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure with additional condition to remain physically present before the court below on each and every date at least for two years or till disposal of the case, whichever is earlier and in case of failure on two consecutive dates without giving any reasonable explanation, the liberty granted shall be deemed to be cancelled.

Rajeev/-

(Akhilesh Chandra, J)