

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19899 of 2017

Arising Out of PS.Case No. -284 Year- 2015 Thana -GARKHA District- SARAN

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Vijay Singh, S/o Sheopujan Singh, Resident of Village- Sadhpur, P.S.
Garkha, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

5 24-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Garkha P.S. Case No. 284 of 2015 registered under Section
366(A)/34 of the Indian Penal Code.

The accusation is that, 21.10.2015, at about 9 P.M.,
Kajal Kumari, aged about 18 years, daughter of Ajay Kumar,
brother of the petitioner, came at the house of the informant and
accompanied his minor daughter, Chanda Kumar, but she did not
return. When he went at the house of the petitioner and made
query about his daughter, Chanda Kumari, then this petitioner
showed his ignorance. The informant raised suspicion against
petitioner and his brother, Ajay Singh, about enticing away his



daughter for the purpose to perform the marriage with a body.

Learned counsel for the petitioner submits that, in fact, the house of the petitioner is adjacent to the house of the informant and the petitioner and his brother Ajay Singh have falsely been implicated in this case mere on suspicion by the informant. It has come in paragraph 21 of the case diary that when the Investigating Officer demanded the photograph of the victim for her search then informant replied that the photograph of the victim is not available and in paragraph 22 of the case diary, the informant further requested to the Investigating Officer to not arrest the petitioner as he is going with the petitioner to search the victim, daughter of the informant.

Learned counsel for the informant while opposed the prayer for anticipatory bail of the petitioner but fairly submitted that in paragraph 22 of the case diary, the informant had made request to the Investigating Officer to not arrest the petitioner as he will go with the petitioner in search of his daughter. He also submits that it has come in paragraph 8 of the case diary that the daughter of the informant was accompanied by one Bijendra Singh against whom the investigation is still continuing.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the



event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate V, Saran at Chapra, in connection with Garkha P.S. Case No. 284 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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