

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 55750 of 2018

Arising Out of P.S.Case No. -01 Year- 2018 Thana -TARIYANI CHAPRA P.S. District-
SHEOHAR

=====

Uday Rai @ Uday Shankar Kumar, S/o Pukar Ray @ Ram Pukar Ray, Resident of
Village- Sirsiya, P.S.- Tariyani, District- Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 28-09-2018

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends arrest in Tariyani
Chapra P.S. Case No. 01 of 2018 dated 08.01.2018 instituted under
Sections 341/342/323 and 376/34 of the Indian Penal Code.

3. The allegation against the petitioner and other
four persons is of abduction of informant and her daughter and
thereafter of committing rape on the false pretext of marriage.

4. Learned counsel for the petitioner submitted that



he is relative of co-accused Devendra Rai, who has past enmity with the informant as earlier he had lodged an informatory petition stating that the informant party had taken Rs. 85,000/- on the pretext of marriage of their son and when he asked them to return, they had threatened him. Learned counsel further submitted that the informant had refused to execute the sale deed in favour of the wife of Devendra Rai despite taking money. It was further submitted that in the statement before the Court under Section 164 of the Code of Criminal Procedure, 1973, the informant had stated that it was Devendra Rai, who had done wrong act with her.

5. Learned A.P.P. submitted that there is specific allegation of wrong act by the petitioner also besides forcible abduction of the informant and her daughter.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sheohar in Tariyani Chapra P.S. Case No.01 of 2018, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973. One of the bailors shall be a close



relative of the petitioner.

(Ahsanuddin Amanullah, J.)

Anand Kr.

AFR/NAFR	
U	
T	

