

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70017 of 2018

Arising Out of PS. Case No.-178 Year-2018 Thana- RIGA District- Sitamarhi

Chetu Rai, Son of Late Akshay Lal Rai, Resident of Village- Narsama, P.S.-
Riga, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-12-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 363 and 366A/34 of the IPC.

The prosecution case, as per the written report of Somari Devi, dated 11.06.2018, submitted to the Station House Officer, Riga Police Station, is to the effect that on 20.05.2018 at about 7.45 PM, the daughter of the informant, namely, Manju Kumari, aged about 13 years went to the grocery shop to purchase something, but she did not return. Subsequently on search being made, the villagers conveyed to the informant that her daughter was being taken away by the petitioner, Chetu Rai, co-accused, Radheshyam Kumar, Shyam Kumar, Brajesh Kumar, Babita Devi, Yashoda Devi and Akarshi Devi in an auto rickshaw.



It is submitted by learned counsel for the petitioner that for the occurrence of 20.05.2018, the written report was submitted on 11.06.2018 and the FIR was lodged on the same day. The victim in fact has performed marriage with co-accused Radheshyam Kumar, who happens to be the son of the petitioner and hence, the petitioner has been roped in the present case. The victim has also lodged a complaint case being Complaint Case No. 1182 of 2018, filed under Sections 323, 379, 354 and 506/34 IPC against her parents and other family members. Moreover, other family members of co-accused Radheshyam Kumar have been granted privilege of anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 58286 of 2018.

Learned APP submits that there is specific accusation against the petitioner.

Considering the delayed lodging of the FIR, thrust of accusation against co-accused Radheshyam Kumar, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount



each to the satisfaction of learned C.J.M., Sitamarhi in connection with Riga P.S. Case No. 178 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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