

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26326 of 2019

Arising Out of PS. Case No.-273 Year-2018 Thana- MOUZAHDIPUR District- Bhagalpur

Shambhu Gupta @ Shubham Gupta, gender male, age 24 years Son of
Upendra Gupta, Resident of village- Kajichak, P.S.- Mojahidpur, District-
Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Swapnil Kumar Singh, Advocate
For the Opposite Party : Mr. R.P. Nat, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 366(A), 120(B) and 34 of the Indian Penal Code registered in connection with Mojahidpur P.S. Case No. 273 of 2018.

3. It is submitted that the petitioner has been falsely implicated as evident from the statement of the so-called victim girl recorded under Section 164 of the Cr.P.C. wherein she has categorically stated that she had voluntarily accompanied the petitioner and stayed in a Lodge at Kolkata with him. She has further stated that the petitioner has no intention to abduct her. It is, therefore, submitted that the ingredients of Section 366A of the IPC are not satisfied. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned



Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur P.S. Case No. 273 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

BT/-

U		T	
---	--	---	--

