

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47303 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- RISIYAP District- Aurangabad

SHANKAR YADAV, Son of Ram Lagan Yadav, Resident of Village - Beri,
P.S.- Pauthu, Distt - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 15-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner in this case is seeking anticipatory bail
in connection with Risiup P.S. Case No.20 of 2019 registered
for the offences punishable under Section 366 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner has been named by the victim girl saying that he was
also there on the motorcycle on which the victim girl was taken
away by her uncle Surendra Paswan and one Ravi. In her
statement under Section 164 Cr.P.C. she has stated that she was
called over a telephone by her uncle Surendra Paswan and
thereafter she was taken away on the motorcycle. She had gone
with Ravi to Delhi by train and there she had lived with him as



wife and husband. Learned counsel submits that the allegation against the petitioner is that he had threatened the victim girl to go with Ravi and this part of the allegation is nothing but an afterthought only to falsely implicate this petitioner because the victim girl herself admits that she had gone by train with Ravi alone, this petitioner was not there on the train and then the victim girl had lived with Ravi as wife and husband for a period of one month. In the nature of the allegations, it is submitted that the petitioner deserves privilege of anticipatory bail.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

In the given facts and circumstances of the case particularly the statement of the victim girl wherein she has admitted to have gone with Ravi to Delhi by train alone and there she had lived with him as wife and husband, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Risiup P.S. Case No.20 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.



(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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