

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23606 of 2020

Arising Out of PS. Case No.-218 Year-2019 Thana- TARAIYA District- Saran

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Shambhu Rai @ Shambhu Ray, Male, 40 years, son of Asarfi Rai, resident of
Village- Chainpur, P.S. Taraiya District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 11-11-2020 Heard Mr. Mukesh Kumar Singh, learned counsel for

the petitioner and Mrs. Sharda Kumari, learned counsel

appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Taraiya P.S. Case No. 218 of 2019 registered for the offence
under Section 363 / 366 (A) of the I.P.C.

The allegation as per the First Information Report is
that the petitioner along with the accused persons have
kidnapped the minor daughter of the informant.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case inasmuch as
there was love affair between the victim girl and the brother of
the petitioner - Satrugan Rai and both of them wanted to marry
but both were falling under the prohibitory decree of



relationship under the Hindu Marriage Act. Learned counsel further submits that the victim girl was recovered and her statement under Section 164 of the Cr.P.C. was recorded in which she has not made any specific allegation against the petitioner. Specific allegation has been made against the co-accused / Satrugan Rai and Jitlal Rai who allegedly established forcible physical relationship with the victim. Learned counsel further submits that the victim girl in her statement before the learned Magistrate has disclosed her age as 19 years. Learned counsel further submits that Jitlal Rai has been granted anticipatory bail by this court in Cr. Misc. No. 23745 of 2020. Learned counsel next submits that the petitioner is in custody since 28.08.2019.

Having heard learned counsel for the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 28.08.2019 and no specific allegation has been made by the victim girl in her statement recorded under Section 164 of the Cr.P.C., I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate -1st,
Saran, Chapra / court concerned in connection with Doriganj
Taraiya P.S. Case No. 218 of 2019.

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

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