

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25776 of 2020

Arising Out of PS. Case No.-237 Year-2019 Thana- SURSAND District- Sitamarhi

SHIV SHANKAR RAI @ SHIVA RAI @ SHIV SHANKAR KUMAR, Son
of Deep Lal Rai, Resident of Village - Bakhari, P.S. - Sursand, District -
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 14-10-2020 The matter has been taken up through virtual Court
proceeding.

Let the defects, if any, be removed within fifteen days
of the start of the physical Court.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 363, 366(A),
504 and 506/34 of the Indian Penal Code.

According to FIR, the petitioner allegedly kidnapped to
the minor daughter of the informant.

In her statement under Section 164 Cr.P.C., the victim
stated that she had voluntarily married with the petitioner. She
further stated that she is aged about twenty years. However, her
date of birth in the school paper has been shown as 08.05.2003



which was reduction of the actual date of birth.

Since the victim had not alleged anything like kidnapping or abduction against the petitioner or any other offences committed against the minor, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Sursand Police Station Case No. 237 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the trial court.

(Birendra Kumar, J)

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