

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15987 of 2021**

Arising Out of PS. Case No.-178 Year-2020 Thana- TAJPUR District- Samastipur

SHAMBHU RAY @ SHAMBHU RAI @ SHAMBHU KUMAR S/o Ram
Naresh Rai R/o village- Tenra, P.S.- Baligaon, District- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma

For the Opposite Party/s : Mr.A.PP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 11-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Tajpur P.S. Case no. 178 of 2020 instituted for the offence
under Sections 342, 323, 313, 354/34 of the Indian Penal Code.

As per allegation in the FIR, petitioner along with
mother and uncle of the informant has kidnapped the informant,
namely, Preeti Kumari, who has performed love marriage



against her parent's wishes, when she was going to regular check-up of her pregnancy. They also tried to administer her anti-pregnancy drugs to terminate her pregnancy with a view to perform her second marriage of their choice.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. The occurrence took place on 11.2.2020 but the FIR has been lodged on 01.06.2020 after a delay of about four months without any explanation. Husband of the informant, namely, Arbind Kumar is so-called grand-father of the informant in village relation and he has taken disadvantage of innocence of the informant and made physical relationship with her and later he himself administered her abortive medicine.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Tajpur P.S. Case no. 178 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees



ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Samastipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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