

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28519 of 2021

Arising Out of PS. Case No.-211 Year-2019 Thana- BIHAR District- Nalanda

SHAMBHU KUMAR S/o Late Ram Lakhan Mahto R/o village- Sorabipar,
P.S.- Deep Nagar, District- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 21-03-2022 Learned counsel for the petitioner is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as the
learned APP for the State.

The petitioner apprehends his arrest in connection with
Bihar P.S. Case No. 211 of 2019, registered for the offences punishable under Sections 363, 365 of the Indian Penal Code and later on added section 376, 506 of the Indian Penal Code.

As per FIR, the daughter of the informant aged 17 years was a student of Intermediate Science in Nalanda College and the petitioner was a peon of that college. As per allegation, the petitioner used to tease the daughter of the informant and on her complaint the petitioner was suspended. After his suspension the petitioner made pressure upon the victim to persuade the college administration so that his suspension might be withdrawn.



On 07.03.2019, the petitioner brought the victim to the Magadh University for recording her statement in his favour. Since then the victim was traceless. On 31.03.2019, the informant received phone calls from the mobile number mentioned in the FIR, on that phone call the victim apprised that she has been made captive by the petitioner thereafter the call got disconnected.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that there is no explanation of delay in lodging the FIR. He has further submitted that the real fact is that the victim and the petitioner was in love affairs. He has also submitted that the alleged victim herself sent a letter to the college administration that she has implicated the petitioner at the instigation of some staff of the college.

The FIR itself shows that the victim was not only subjected to teasing but also pressure was made upon her to give statement in favour of the petitioner who has been suspended from the college in pursuance of the allegation of the victim.

The victim was recovered during course of investigation her statement was recorded under Section 164 of the Cr.P.C. in which she has stated that the petitioner after kidnapping her also had physical relations with her.

Considering the above-mentioned facts and circumstances, I do not think it a fit case for anticipatory bail.



Accordingly, prayer for anticipatory bail of the petitioner is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

SONALI/-

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

