

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29054 of 2021**

Arising Out of PS. Case No.-632 Year-2020 Thana- KATIHAR NAGAR District- Katihar

SHAMBHU PASWAN S/o Kedar Paswan Resident of- Laliyahi, Behind of
Durga Mandir, P.S.- Sahayak, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 06-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

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

As per prosecution case, it is alleged by the informant namely Shiv Kumar that her daughter aged about 15 years namely Priti Kumari disappeared on 02.12.2020 at about 09:00 A.M. from the residential house. On search it came to know that she is abducted by the accused persons then he went to their house who started abusing and threatening to kill him.



Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case only on the basis of suspicion. He further submits that it appears from the F.I.R. that there is no specific allegation against the petitioner. He further submits that the victim was recovered and the statement of the victim girl was recorded under Section 164 of the Cr. P.C. in which she has stated that no one had abducted her and she had gone to the house of her maternal aunti (Mausi).

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

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 Court below where the case is pending in connection with Katihar Nagar Sahayak P.S. Case No. 632 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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