

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45130 of 2021

Arising Out of PS. Case No.-83 Year-2020 Thana- LAUKARIA District- West Champaran

SHAIENDRA KUMAR @ SHAIENDRA KUMAR RAUNIYAR @
SHAIENDRA S/o Late Baidyanath Sah R/o village- Harnatand, P.S.-
Laukaria, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramji Kumar, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-02-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Learned counsel for the petitioner has filed a supplementary affidavit. Let the same be taken on the record.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Laukaria P.S. Case No.83 of 2020 registered for the offences punishable under Section 366(A) of the Indian Penal Code. He is in custody since 05.02.2021. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per



the prosecution story the allegation against the petitioner is that he along with other accused persons abducted the minor daughter of the informant aged about 15 years for the purpose of marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to local family dispute. Learned counsel submits that it is a case of love affair and in 164 Cr.P.C. statement the victim girl has stated that she had left her house alone due to torturing behaviour of her parents.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner and the victim girl were in adolescent age and it seems to be a case of love affair, the FIR itself has been lodged after about two days and further that the victim girl has made statement under Section 164 Cr.P.C. in which she has stated that she had left her house alone due to torturing behaviour of her parents, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bagaha, West



Champaran in connection with Laukaria P.S. Case No.83 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

