

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37293 of 2022

Arising Out of PS. Case No.-239 Year-2018 Thana- SHAMBHUGANJ District- Banka

Raju Laheri @ Raju Kumar Verma Son Of Umesh Laheri, Resident Of
Village- Bharatshila P.S.- Shambhuganj, District- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mrs.Dr. Indiwari Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 22-11-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Shambhuganj P.S. Case No. 239 of 2018 lodged under Sections
366(A)/34 of the I.P.C.

As per prosecution case, the allegation against 9
named accused persons to kidnap the sister of the informant
with a view to marry.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel
further submits that the present alleged occurrence has taken
place on 01.10.2018 but the F.I.R. has been filed on 05.10.2018
i.e. delay of about 4 days. Counsel further submits that charge

sheet has already been filed in this case against the petitioner but till date recovery of the victim girl has not been made. He further submits that antecedent of the petitioner is clean and he is in custody since 18.05.2022.

Vide order dated 22.09.2022 a direction was given to the Superintendent of Police, Banka to file a counter affidavit with regard to the recovery of the victim girl. In this regard the Superintendent of Police is doing the needful and making his sincere efforts for recovery of victim girl.

Learned counsel for the State opposes the prayer for bail and submits that the prosecution is every hope that by the effort of superintendent of Police, the recovery of the victim girl shall be made soon.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted **Provisional bail** till recovery of the victim girl on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Shambhuganj P.S. Case No. 239 of 2018, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

The Trial Court is directed to confirm the bail of the

petitioner when no involvement of petitioner comes after recovery of the victim girl and in case under 164 Cr.P.C. statement the victim girl alleged against the petitioner, his bail bond shall be cancelled.

With this direction, the bail application is disposed off.

(Dr. Anshuman, J.)

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