

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40718 of 2022**

Arising Out of PS. Case No.-120 Year-2021 Thana- CHAINPUR District- Kaimur (Bhabua)

MD. SAHIL S/o Md. Siraj R/o village- Mansulpur Chamaruwa, P.S.- Kuarja,  
District- Muzafferpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Tribhuvan Narayan, Advocate  
For the Opposite Party/s : Mr. Suman Kumari Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      08-12-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 366 and 366(A) of the Indian Penal Code.

The informant alleges that his daughter became traceless and later, petitioner called and informed that victim is with her.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a young boy aged about 21 years. Learned counsel further submits that the petitioner has been falsely implicated in the present case, it is next submitted that petitioner and the victim were in love and the victim on her own volition had accompanied the petitioner, it is next submitted that the victim has come back and her statement was recorded under Section 164 of the CrPC, wherein, she has not supported the case of the



prosecution and has disclosed her age as 17 years, it is next submitted that, no doubt, the victim as per her age, as disclosed in her statement recorded under Section 164 CrPC, is a minor but then had reached the age of discretion and thus was aware of the consequences of her action, it is next submitted that since victim has not supported the case of prosecution, as such, sending the petitioner to jail would amount to travesty of justice.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chainpur P.S. Case No. 120 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

HarshPandey/-

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