

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15954 of 2023

Arising Out of PS. Case No.-412 Year-2021 Thana- PHULPARAS District- Madhubani

Daya Lal Sah @ Daya Lal Sahu S/O Surya Narayan Sah @ Surya Narayan
Sahu R/v- Siswa Barhi, P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-06-2023 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 363 and 366 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a young boy aged about 22 years, he is a person with clean antecedent and the informant alleges that her minor daughter had come to her parental home and had gone to see a dance programme on the eve of Durga Puja and when she did not come back, a hectic search was made and later the informant came to know that petitioner along with his associates lured her and abducted her and when the informant along with other family members went to the house of the accused, his parents



ousted them from the house and even threatened them.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and from perusal of the allegations as alleged in the FIR it would manifest that the victim is a married lady, it is further submitted that prior to marriage petitioner and the victim were in love but she was married to one Vinod and after marriage she had come to her parental home where she met the petitioner and they went out. It is next submitted that the victim has returned and her statement has been recorded under Section 164 of the Cr.P.C. wherein she has supported the case of the prosecution. It is further submitted that it was under parental pressure that the victim has supported the case of the prosecution, it is next submitted that the date of occurrence is 14.10.2021 and the FIR came to be instituted on 25.10.2021 i.e. after a delay of eleven days which further casts aspersion on the case of the prosecution.

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 Court below



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Phulparas P.S. Case No. 412 of 2021, G.R. No. 1743 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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