

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25980 of 2023

Arising Out of PS. Case No.-591 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

SHANKAR SINGH S/O LATE RAM JULUM SINGH Resident of Village-
Siura Amar Singh Asthan, P.S.- Shahpur Patory, District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
24.02.2023 in connection with Shahpur Patori P.S. Case No.
591 of 2022, F.I.R. dated 12.12.2022 registered for the
offence punishable under Sections 365,366 of IPC.

3. Allegation against the petitioner is that he
allegedly abducted the informant's wife in the pretext of
taking her to her Maikhe and locked her in a room. There was
talk between the victim and Bhabhi of the informant.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case. Further submits



that initially the informant/complainant has filed Complaint Case No.812 of 2015 which is converted into present FIR in the year 2022 and from bare perusal of the FIR it appears that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and on the basis of the complaint of 2015, the present FIR has been instituted on 12.12.2022 and petitioner and informant are Gotiyas and due to admitted land dispute the petitioner has falsely been implicated in the present case and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 24.02.2023.

5. Learned APP for the State, on the other hand, has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Samastipur in connection with Shahpur Patori P.S. Case No. 591 of 2022, with the following conditions:-

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

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

(III) 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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