

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55332 of 2023

Arising Out of PS. Case No.-154 Year-2023 Thana- SHEOHAR District- Sheohar

Rahul Kumar S/O Baiju Sah @ Baiju Prasad R/O Ward No. 19, Sheohar, P.S-
Sheohar, Distt.- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikramadit, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

02. In this case, the petitioner is apprehending his arrest in connection with Sheohar P.S. Case No. 154 of 2023, registered on 27.06.2023, for the offences under Sections 363 and 366(A) of the Indian Penal Code.

03. As per prosecution case, the daughter of the informant left her house and the informant later on came to know that the petitioner enticed her away.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has nothing to do with the affairs of the informant and his daughter. The FIR has been registered after delay of one month and 08 days for the alleged occurrence, for



which, there is no satisfactory explanation. The entire case is based on suspicion and surmises of the informant. The statement of the victim girl was recorded under Section 164 of the Cr.P.C. and she did not support the case of the prosecution against the petitioner. Though she has admitted that she was having an affair with the petitioner but the petitioner solemnized marriage somewhere else and she was being tortured by her family members. The victim girl has also stated about petitioner helping her by making arrangement for her stay with a staff of his Gym. Except for this fact, there is no involvement of the petitioner for daughter of the informant leaving her house. From the statement of victim under Section 164 Cr.P.C., it further appears that daughter of the victim left on her own and has been wandering from place to place. The petitioner has got no criminal antecedent

05. Learned APP opposes the prayer for bail anticipatory submitting that the petitioner has been named in the F.I.R and his involvement is apparent from the statement recorded under Section 164 of Cr.P.C. that he arranged for stay of the daughter of the informant.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



completely vague nature of allegation against the petitioner with possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheohar/court concerned in connection with Sheohar P.S. Case No. 154 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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