

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65347 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- HALSI District- Lakhisarai

1. Shambhu Yadav @ Shambhu Kumar Son Of Kailu Yadav Village-Nandnama, Ps- Ramgarh Chowk, Dist- Lakhisarai
2. Chhotu Kumar @ Rahul Kumar Son Of Mundrika Yadav Village-Nandnama, Ps- Ramgarh Chowk, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vijay Kumar, Advocate
For the Opposite Party/s	:	Mr.Upendra Kumar, APP
For the Informant/s	:	Mr. Indrajesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-11-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State as well as learned counsel for the informant.

3. The petitioners are apprehending their arrest in connection with Halsi (Ramgarhchowk O.P) P.S Case No. 55 of 2023 dated 25.02.2023 registered for the offences punishable under Sections 363 and 366 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioners are



alleged to have kidnapped the minor daughter of the informant on the point of rifle.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners are accused in one more criminal case as stated in para 3 of the bail petition. Learned counsel for the petitioner has further submitted that the victim was not forced to have illicit intercourse with another person. It is further submitted that there was love affairs between both the parties.

6. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer of anticipatory bail of the petitioners by submitting that victim in her statement recorded u/s 164 of the Cr.P.C. has supported the allegation levelled against him.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Lakhisarai in connection with Halsi (Ramgarhchowk O.P) P.S Case No. 55 of 2023 , subject to conditions as laid



down under Section 438(2) of the Code of Criminal Procedure,
with further condition:-

(i). The petitioner are directed to remain physically
present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are liable to be cancelled.

8. This application stands allowed.

(Chandra Prakash Singh, J)

atul/-

U		T	
---	--	---	--

