

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61454 of 2022

Arising Out of PS. Case No.-82 Year-2022 Thana- CHANDAN District- Banka

SAGAR TURI, Son of Bhudev Turi @ Bhugdev Turi, R/v- Jamua, P.S.-
Mohanpur, District- Deoghar (Jharkhand)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate

For the Opposite Party/s : Ms.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-02-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Chandan P.S.
Case No. 82 of 2022 registered for the offence punishable under
Section 366(A) of the Indian Penal Code.

The informant has alleged that her daughter left for
purchasing some medicines whereafter she did not return. The FIR
has been registered on 04.05.2022, nearly one month after the date on
which she is alleged to have gone to the medicine shop. The
petitioner's implication is based on suspicion that he has perhaps
taken away the informant's minor daughter.

Learned counsel for the petitioner submits, referring to the
order of rejection by the court of learned Additional Sessions Judge
VI, that the victim upon her recovery has got her statement recorded
under Section 164 Cr.P.C.. The statement belies the accusations as
she has stated about going with the petitioner on her own discretion
whereas the court below has denied bail by considering that she was



below 18 years. The petitioner is having clean antecedents and is in custody since 04.06.2022. Investigation is complete.

Learned APP for the State has opposed the prayer for bail by submitting that the victim was below 18 years.

Considering the rival submissions, the nature of statement recorded under Section 164 Cr.P.C. as is apparent from the order of rejection of the trial court, the petitioner's period of custody, clean antecedents and the substantial delay in lodging of FIR, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner is allowed.

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 Chief Judicial Magistrate, Banka, in connection with Chandan P.S. Case No. 82 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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