

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.846 of 2023

Arising Out of PS. Case No.-208 Year-2022 Thana- BAHERI District- Darbhanga

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DILIP CHAUPAL SON OF JIBACHH CHAUPAL R/O VILLAGE-
BHIKHOLI, JAGARNATHPUR, P.S.- BAHERI, DARBHANGA, BIHAR-
848209

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Shama Sinha, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 366/34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody
since 27.08.2022 and is a young boy of 19 years of age. Learned
counsel further submits that the date of occurrence is 11.06.2022
and the FIR was instituted on 04.07.2022 i.e. after a delay of
nearly twenty-three days which creates doubt with regard to the
allegation as alleged in the FIR. Learned counsel next submits
that allegation is of kidnapping the daughter of the informant by
the petitioner. Learned counsel also submits that from perusal of



the allegation as alleged in the FIR, it would manifest that the informant alleges that a call was received on the mobile of his daughter-in-law and the caller informed that he has kidnapped his daughter based on which the petitioner reached the house of the petitioner where he was assured that his daughter would be returned. Learned counsel further submits that the victim came back and got her statement recorded under Section 161 Cr.P.C. wherein she has stated that she had accompanied the petitioner and had disclosed her age as 19 years but resiled when her statement was recorded under Section 164 Cr.P.C. Learned counsel next submits that if what has been alleged in the FIR is true then definitely the FIR would have been instituted promptly but since the informant was aware that victim was in love with the petitioner, they fled and so eloped together, as such, FIR came to be instituted after twenty-three days without any plausible explanation.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the submission made by the learned counsel for the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned Court below where
the case is pending in connection with Baheri P.S. Case No. 208
of 2022.

(Satyavrat Verma, J)

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