

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6070 of 2024

Arising Out of PS. Case No.-191 Year-2023 Thana- BELHAR District- Banka

Tiger Kumar Turi @ Tiger Kumar SON OF DEEP NARAYAN TURI Village-
Jhumka P.S- Belhar Distt- banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 09-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Belhar P.S. Case No. 191 of 2023 registered under Sections 366A/34 of the Indian Penal Code lodged on 06.05.2023 by the informant, Mahendra Turi.

3. As per the prosecution story, the informant alleged that upon return to home, found the daughter missing and it came to notice that this petitioner has taken her away for the purpose of marriage. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that subsequently, the girl was recovered and though under Section 161 of the Cr.P.C. she did not made any allegation, later under Section 164 of the Cr.P.C., he alleged that this petitioner had



taken her away to Bangalore after she was forced by three of his friends to move on his motorcycle.

5. Learned counsel for the petitioner submits that it is the train journey from Patna to Bangalore and it cannot be believed that she was forced to go to Bangalore without any resistance on her part and/or attention of the fellow passengers unless it was with consent. The last submission is that he do not have criminal antecedent, is a student and only 19 years of age.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail

7. Considering the aforesaid submissions as also that he is a student, 19 years of age, do not have criminal antecedent, the victim girl under Section 164 of the Cr.P.C. has not made any allegation of rape, FIR lodged and he will be facing the trial, putting such 19 years old boy in the jail with hardened criminals may ruin his future, this Court is inclined to extend him the privilege of bail.

8. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Banka in connection with Belhar P.S. Case No. 191 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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