

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9497 of 2024**

Arising Out of PS. Case No.-28 Year-2023 Thana- AZIMABAD District- Bhojpur

Santosh Ram @ Santosh Kumar SON OF Shree Narayan Ram R/O  
VILLAGE BADGAON, P S -AZIMABAD, DISTRICT- BHOJPUR, BIHAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Khurshid Anwar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

3      21-03-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest in connection with Azimabad P.S. Case No. 28 of 2023 registered under Sections 366A/34 of the Indian Penal Code lodged on 11.03.2023 by the informant, Surendra Prasad.

3. As per the prosecution story, the informant alleged that her daughter escaped along with Prince Kumar and during search, when they went to the house of Prince Kumar, he was abused by the family members. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the petitioner is the father of Prince Kumar, the girl upon return made a statement under Section 164 of the Cr.P.C. stating that she came out of her home and went to the house of Prince



Kumar, called him, they went to Ahmedabad, there is stay together, got married in the temple and want to stay with her. Further stated that she has given her age as 19 and  $\frac{1}{2}$  years.

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

6. Considering the aforesaid facts as also the statement of the victim girl under Section 164 of the Cr.P.C., petitioner is the father of Prince Kumar and he do not have criminal antecedent, this Court is inclined to grant him privilege of anticipatory bail.

7. 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 Judicial Magistrate, 1<sup>st</sup> Class, Bhojpur in connection with Azimabad P.S. Case No. 28 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)**

Jagdish/-

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