

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16665 of 2024

Arising Out of PS. Case No.-100 Year-2023 Thana- KHUDAGANJ District- Nalanda

Dilip Kumar @ Dilip Yadav S/O Tunnu Yadav R/O Village- Ramanujbagh,
P.S- Khudaganj, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-04-2024 Heard Mr. Anil Kumar Singh, learned counsel for
the petitioner and Mr. Chandra Bhushan Prasad, learned APP for
the State.

2. The petitioner is apprehending his arrest connection with Khudaganj P.S. Case No. 100 of 2023, F.I.R. dated 01.08.2023 registered for the offences punishable under Sections 366(A) of the Indian Penal Code.

3. Allegation against the petitioner is that he kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. Learned counsel for the petitioner further submits that the statement of the victim was recorded under section 164 of the Cr. P.C. in which she has not supported the case of the prosecution and apart from that the victim has also refused for her medical examination.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts that the petitioner having clean antecedent and the victim has not supported the case of the prosecution in her 164 statement, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Khudaganj P.S. Case No. 100 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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