

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34084 of 2024

Arising Out of PS. Case No.-811 Year-2021 Thana- TURKAULIYA District- East Champaran

Guddu Prasad @ Guddu Kumar son of Raman Prasad Village- Machhaha Ps-
Muffasil Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-05-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Turkauliya (Bangariya) P.S. Case No. 811/21 instituted under Sections 363, 366/34 of the Indian Penal Code lodged on 19.10.2021 by the informant, Chandeshwar Sahni.

3. As per the prosecution story, the informant alleged that his married daughter who was residing in in-laws' house was taken away by this petitioner. Further, he alongwith his daughter's father-in-law tried their best to search them, as could not find, the FIR.

4. Learned counsel for the petitioner submits that there is delay in lodging of the FIR and a bare perusal of observation of the learned Sessions Judge would show that the lady made her 164 Cr.P.C. statement informant that she left the



place on her own on the ground that her husband/family members used to assault her.

5. Learned APP opposes the prayer stating that this petitioner solemnized marriage with a married lady.

6. Though, there is allegation against the petitioner, taking into account the statement under 164 Cr.P.C. of the lady that she left the in-laws' house on her own, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Turkauliya (Bangariya) P.S. Case No. 811/21 to the satisfaction of learned A.C.J.M.-6th, Motihari, East Champaran subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative 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 bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) 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 the bail bonds;

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

(Rajiv Roy, J)

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