

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47260 of 2024

Arising Out of PS. Case No.-505 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Shiv Nath Das @ Shivanath Das Son of Chandar Das @ Ramchandra Das @
Ram Chandra Das Resident of Village - Bhamrupur, P.S.- Muffasil, District -
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 26-10-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 363, 366 of the IPC in connection with Samastipur
Muffasil P.S. Case No.505 of 2023.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case by the informant who is father of
the victim and the petitioner were in love and they eloped. It is
further submitted that victim has come back and her statement



under Section 164 cr.P.C. was recorded under parental pressure wherein she was made to disclose her age as 17 years, but then victim is a major.

4. It is also submitted that from perusal of the statement of the victim recorded under Section 164 Cr.P.C. it would manifest that the learned trial judge has recorded that the victim was acting in the court and was changing her statement. It is further submitted that victim in her statement has also stated that she intends to go with the petitioner. The learned counsel further submits that after the victim came back under parental pressure she was made to state that she was kidnapped by the petitioner.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., II, Samastipur in connection with Samastipur Muffasil P.S. Case No.505 of 2023,



subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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