

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48239 of 2024

Arising Out of PS. Case No.-481 Year-2023 Thana- SURYAGARHA District- Lakhisarai

Anil Kumar Son of Late Ashok Tanti Resident of Vill- Milki Chak No.2, P.S.-
Naya Ram Nagar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Raj Kumar Choudhary, Adv.
For the Opposite Party/s	:	Mr.Ajay Kumar No. 2, APP
For OP No. 2	:	Mr. Sanjeev Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 29-10-2024 Heard Mr. Raj Kumar Chaudhary, learned counsel
for the petitioner, and Mr. Ajay Kumar, learned APP and Mr.
Sanjeev Kumar, learned counsel representing the informant.

2. The petitioner is in judicial custody in connection
with Surajgarha (Manikpur) P.S. Case No. 481 of 2023 for the
offences punishable under Sections 363, 366A of the IPC,
lodged on 29.12.2023 by the informant, Mahendra Tanti.

3. As per the prosecution story, the informant alleged
that his minor grand daughter went for coaching but
disappeared, he raised his suspicion against this petitioner.
Accordingly, the FIR.

4. Subsequently, the investigation took place and the
petitioner has been taken into custody. The girl returned and



made a statement under Section 164 CrPC, in which, she narrated that no one took her and/or abducted, she went along with her relative (the petitioner herein, who is maternal uncle), went to Bhagalpur, then to Kajra and finally to the police station.

5. The Co-ordinate Bench *vide* its order dated 24.07.2024, had called for the case diary and statement of the victim girl which are on record.

6. Though, learned counsel appearing on behalf of the informant tried to impress upon this Court that even after the lodging of the present case and the return of the victim girl, once again, the petitioner took her away, this Court will go by the statement made by the girl under Section 164 of the CrPC. He is in custody since 18.04.2024 and has no criminal antecedent. In that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Lakhisarai in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member of



the petitioner who shall provide official document to show his 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 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;

(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 his bail bonds.

(Rajiv Roy, J)

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