

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50870 of 2024

Arising Out of PS. Case No.-132 Year-2023 Thana- NADI District- Supaul

Shyam Chaupal @ Shyam Kumar Chaupal Son Of Mahesh Chaupal Village-
Belhi, Ward No. 07, PS- Supaul, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Supaul (Nadi) P.S. Case No. 132 of 2023 instituted under
Sections 366, 366A and 34 of the Indian Penal Code.

3. As per the prosecution case, on 13.12.2023 the
minor daughter of the informant went to Kanya Uchha Madhya
Vidyalaya-Belhi and did not return home. It is further alleged
that the daughter of the informant has been abducted by the
petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He further submits that there is delay of 10 days in lodging
the FIR without any plausible explanation. Learned counsel



further submits that after recovery of the alleged victim girl, her statement was recorded under Sections 161 and 164 of Cr.P.C. in which she did not support the prosecution case and clearly stated that she has been in love with the petitioner and went with him as per her own sweet will and also solemnized marriage with the petitioner. Both the victim and the petitioner are adult and the victim has not made any allegation against the petitioner. He further submits that petitioner has no criminal antecedent and he undertakes to co-operate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Additional District Judge-VI-cum Special Judge POCSO Court, Supaul / Concerned Trial Court in connection with Supaul (Nadi) P.S. Case No. 132 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal



Procedure, 1973.

(Sunil Dutta Mishra, J)

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