

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60997 of 2024

Arising Out of PS. Case No.-992 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Sintu Mandal S/o Banshi Mandal @ Banshidhar Mandal R/o Village- Tarni,
P.S.- Jamtara, District- Jamtara, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rita Devi W/o Sanjiv Kumar Mishra R/o English Ward no. 2, P.S -
Lakhisarai, Distt. - Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra, Adv.

For the Opposite Party/s : Ms.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-09-2024

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Lakhisarai P.S. Case No. 992 of 2023 for the offence under section 363 of the I.P.C. lodged on 19.12.2023 by the informant, Rita Devi.

3. As per the prosecution story, the informant alleged that her minor daughter went to the school but failed to return and she has suspicion that those named in the FIR have kidnapped her as earlier also she was taken away but due to intervention of the parties, returned. This led to the FIR.

4. Learned counsel for the petitioner submits that subsequently, the girl returned and she, in her statement



recorded under Section 164 CrPC, clearly stated that she went to Jamtara at the house of her maternal uncle and no one took her to the said place.

5. Learned APP, on the other hand, opposes the prayer submitting that the accused persons named in the FIR had earlier also taken her.

6. Though there is allegation, the fact remains that she, in her statement recorded under Section 164 CrPC, clearly stated that she went to Jamtara on her own, he has got no criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, named above, be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned Additional Sessions Judge-VI-Cum-Special Judge, POCSO Act, Lakhisarai in connection with aforesaid PS Case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as well as subject to the following conditions:-

(i) one of the bailors 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 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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