

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72867 of 2024

Arising Out of PS. Case No.-413 Year-2022 Thana- GARKHA District- Saran

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Raushan Singh @ Chotu Son of Manish Singh @ Vishwajeet Singh Resident
of Village- Maiki, P.S.- Garkha, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Mithlesh Kumar Khare, APP
For the Informant	:	Mr. Ajit Kr. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-10-2024 Heard learned counsel for the petitioner, learned counsel
for the informant and learned Additional Public Prosecutor for
the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 366/34 of the IPC.

3. As per the prosecution case, the FIR named accused
persons are alleged to have kidnapped the wife of the informant
with an intention to perform marriage.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place. It is



submitted that petitioner is not named in the FIR and his name transpired in this case on the basis of the statement of Victim recorded under Section 164 Cr.P.C. in which she disclosed that the petitioner has kidnapped her. It is further submitted that earlier the victim has lodged FIR against the petitioner and the petitioner's father has also filed a title suit bearing no. 757 of 2022, pending before the Civil Court, Saran at Chapra and out of grudge, the petitioner has been made accused in the present case. Petitioner has four criminal antecedent.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Garkha P.S. Case No.413 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, learned court below is directed to verify the criminal antecedent of the petitioner before accepting his bail



bond and if it is found that petitioner has more than four criminal antecedent, his bail bond shall not be accepted.

(Anjani Kumar Sharan, J)

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