

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85157 of 2023

Arising Out of PS. Case No.-274 Year-2023 Thana- SIRDALA District- Nawada

Shambhu Kumar S/o Suresh Chauhan R/o village-Gangwara Tola Rampur,
P.S-Meskaur in the district of Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Sirdala (Meskaur) P.S. Case No. 274 of 2023, registered for the alleged offence under Sections 366/34 of the Indian Penal Code.

03. As per prosecution case, the petitioner enticed away the daughter of the informant with intention to marry with her. While leaving her house, the daughter of the informant took Rs. 65,000/- cash from her house.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR, it is apparent that the daughter of the informant left her house on her own and this fact is supported by



the allegation of taking away Rs. 65,000/- by the victim girl from the almirah of her sister-in-law. The victim is a major girl and her statement was recorded under Section 164 Cr.P.C. and she has made vague allegation about petitioner enticing her and leaving her stranded. At the same time, she has also stated about she being on intimate terms with the petitioner. The petitioner is having clean antecedent.

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

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the voluntary act of the victim girl in leaving her house and further considering almost vague nature of allegation against the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Nawada/concerned court in connection with Sirdala (Meskaur) P.S. Case No. 274 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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